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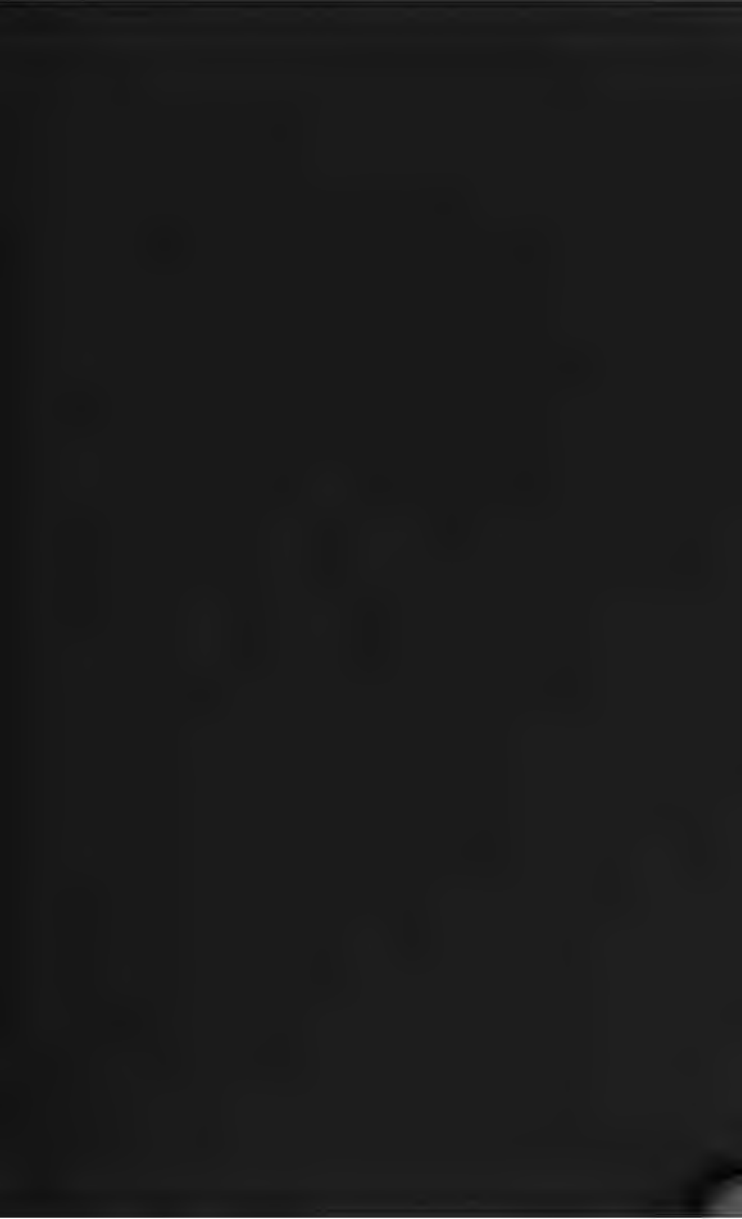
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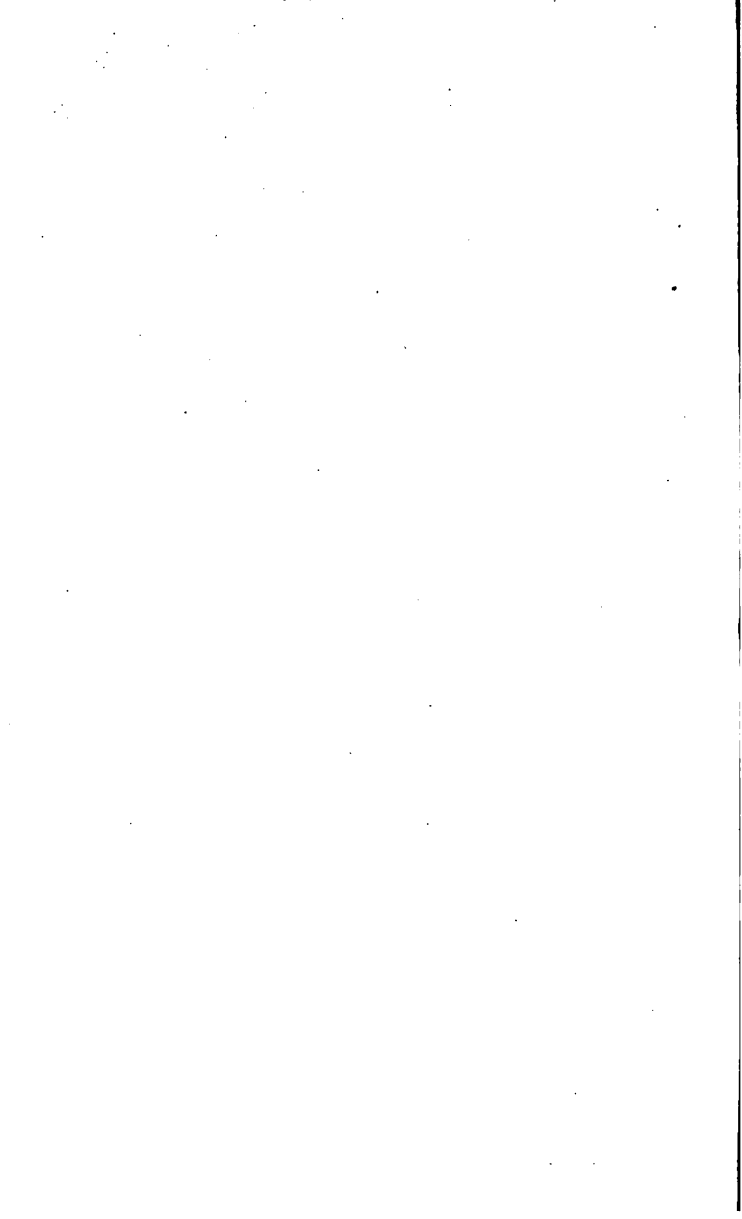


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NEW ZEALAND.

DECISIONS OF THE SPEAKERS

OF THE

HOUSE OF REPRESENTATIVES

ON

POINTS OF ORDER, RULES OF DEBATE, AND
GENERAL PRACTICE OF THE HOUSE,
1867 TO 1888, INCLUSIVE.

Compiled from the New Zealand "Hansard" Reports

BY

C. C. N. BARRON,

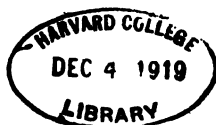
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1889.

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Aster E. Hinds
Cambridge

New Zealand - General Assembly - House.

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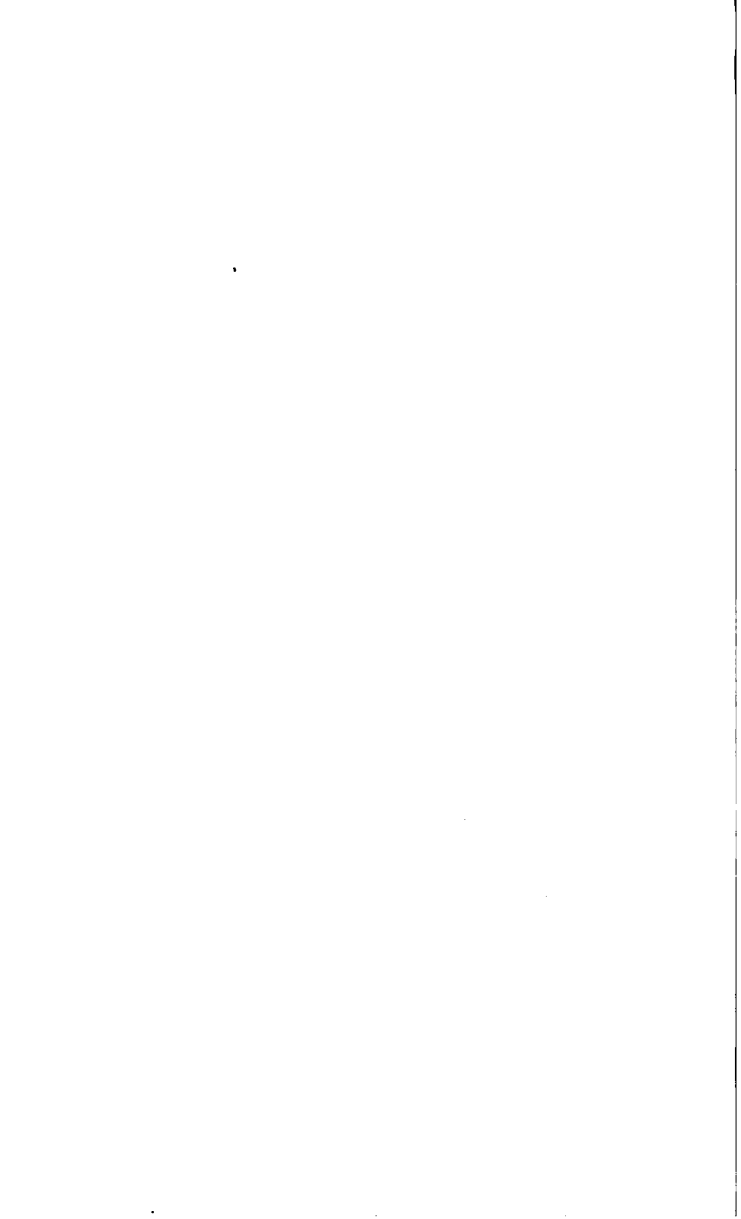
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DECISIONS
OF THE
SPEAKERS OF THE NEW ZEALAND HOUSE
OF REPRESENTATIVES.
1867-88.

References are to New Zealand "Hansard" Debates.

ADDRESS IN REPLY.

Should specify paragraph by paragraph the reply intended to be conveyed to His Excellency.

1879. Vol. 31, p. 67.—Address in Reply. O'Rorke.

ADJOURNMENT OF DEBATE.

Motion for adjournment of debate is not an amendment.

1868. Vol. 60, p. 615.—Midland Railway. O'Rorke.

Involves two questions—adjournment of debate, and time for resumption.

1867. Vol. 1, p. 11.—Address in Reply. Monro.

Adjournment of Debate—continued.

Cannot be moved to a day on which the House does not sit.

1877. Vol. 26, p. 188.—Disqualification. Fitzherbert.

Mover of adjournment of debate has right to speak first on resumption.

1868. Vol. 2, p. 117.—Road Districts Bill. Monro.

Member who moves adjournment of debate cannot do so again unless other motions intervene. Motions with regard to other Bills held to be intervening motions.

1885. Vol. 52, p. 36.—Hospitals and Charitable Institutions Bill. O'Rorke.

Member who has already spoken cannot move adjournment of debate.

1869. Vol. 6, p. 436.—Timaru and Gladstone Board of Works Bill. Monro.

1879. Vol. 34, p. 661.—New Zealand Constitution Bill. O'Rorke.

Member who has already spoken is permitted to second motion for adjournment, but not to speak to it.

1867. Vol. 1, p. 47.—Address in Reply. Monro (quoting Burke's "Precedents").

Main Question not debatable.

"You cannot discuss the merits of the Bill in moving the adjournment of the debate; and, if you fail to obtain an adjournment when you

Adjournment of Debate—continued.

move it, you will lose your right to speak again.”

1886. Vol. 56, p. 658.—District Railways Bill.
O'Rorke.

1888. Vol. 60, p. 255.—District Railways Bill.
O'Rorke.

If a member persists in speaking on the main question when moving the adjournment of debate, the Speaker will not put the question of adjournment on his motion.

1888. Vol. 61, pp. 406, 407.—Supply. O'Rorke.

Mover and seconder of adjournment of debate cannot speak on main question if motion for adjournment is negatived.

1877. Vol. 24, pp. 151, 152.—Charitable Institutions Bill. Fitzherbert.

Exception.

When motion for adjournment of debate is for such a period as practically to mean rejection of the matter under discussion, the Speaker allows the matter to be fully discussed, lest it should be disposed of altogether without fair discussion.

1887. Vol. 58, p. 576.—Coal Import Duty. O'Rorke.

Adjournment of the House cannot be moved while motion for adjournment of a debate is being discussed.

1887. Vol. 59, p. 79.—Governor's Salary Bill.
O'Rorke.

Adjournment of Debate—continued.**5.30 p.m. to 7.30 p.m. Recess.**

When the hour of 5.30 p.m. arrives Speaker adjourns the debate on a motion, though the House may have decided on division that the debate shall not be adjourned. "In 1861 the Speaker of the House of Commons ruled that the Standing Order was more imperative than a division of the House. The House had, by a division, declared that a certain debate should not be adjourned; but when the hour came on the Speaker adjourned the debate notwithstanding the House had declared it should not be adjourned. That, however, is confined to days on which motions have precedence of Orders of the Day."

1878. Vol. 29, p. 623.—Beer Duty Bill. Fitzherbert.

When a special order has been made for taking certain business at 7.30 p.m. the debate interrupted at 5.30 continues interrupted until the 7.30 business is disposed of.

1888. Vol. 60, p. 629.—Midland Railway. O'Rorke.

ADJOURNMENT OF THE HOUSE.

It is irregular to move adjournment of the House to enable another member to speak.

1869. Vol. 6, p. 279.—Advances and Payments. Monro.

Adjournment of the House—continued.

May be moved on a question.

1876. Vol. 21, pp. 252, 256. — Native Lands.
Fitzherbert.

Etc.

Mover has right of reply.

1876. Vol. 23, p. 34.—Abolition Act. Fitzherbert.

Cannot be moved a second time until other business has been disposed of.

1884. Vol. 47, p. 279.—Kumara Sludge-channel.
O'Rorke.

1888. Vol. 60, p. 407.—Financial Proposals of the
Government. O'Rorke.

There can be no amendment to motion for the adjournment of the House except as regards time.

1880. Vol. 35, p. 446.—Civil Service Commission's
Report. O'Rorke.

1887. Vol. 58, p. 542.—Customs Tariff. O'Rorke.

Disposes of matter under discussion.

1884. Vol. 50, p. 545.—Annexation and Federa-
tion. O'Rorke.

To save a matter from being disposed of by adjournment of the House, it is in order to refer to the merits of the matter, but the member speaking has not the same latitude as if nothing but question of adjournment were before the House.

1884. Vol. 50, p. 545.—Annexation and Federa-
tion. O'Rorke.

Adjournment of the House—continued.

Cannot be moved while motion for adjournment of a debate is being discussed.

1887. Vol. 59, p. 79.—Governor's Salary Bill. O'Rorke.

Matters not debatable.

On motion for adjournment of the House it is not in order to refer to a motion set down for a subsequent day.

1884. Vol. 48, p. 221.—Civil Service. O'Rorke.

In moving adjournment of the House matters on the Order Paper must not be discussed.

1879. Vol. 32, p. 256.—Public Revenues Bill. O'Rorke.

Proceedings in Committee on a Bill cannot be discussed on motion for adjournment of the House, made after progress reported and leave given to sit again.

1887. Vol. 59, pp. 544, 545.—Land Bill. O'Rorke.

5.30 p.m. to 7.30 p.m. Recess.

Though Speaker leaves the chair at 5.30 p.m. to 7.30 p.m. the House is technically sitting, and proceedings between those hours are not invalid. "The House is then sitting; the House has not been adjourned; the House, in fact, sits from the time of its opening until the time when by motion it is adjourned. It follows, therefore,

Adjournment of the House—continued.

that if, for the sake of convenience, the House thinks proper to trespass upon the time which it has assigned to itself for relaxation, it can do so, and it does not therefore invalidate any of its proceedings.”

1878. Vol. 29, p. 623.—Beer Duty Bill. Fitzherbert.

Interval between 5.30 p.m. and 7.30 p.m. is regarded by Speaker as an adjournment.

1879. Vol. 32, pp. 314, 315.—Northern Maori District. O'Rorke.

Motion for adjournment of the House, on days on which motions have precedence, if debated until 5.30 p.m., is superseded at 7.30 p.m. by Orders of the Day. If order called is for further consideration of a Bill in Committee, Speaker will at once leave the chair; therefore adjournment of the House cannot then be moved.

1881. Vol. 40, p. 209.—Order of Business. O'Rorke.

When Clerk is directed to call on the Orders of the Day, adjournment of the House cannot be moved until Order called on.

1887. Vol. 58, p. 562.—Midland Railway. O'Rorke.

Motion that the House sit on Mondays having been negatived, held that first part of a subsequent motion, that the House meet on

Adjournment of the House—continued.

Mondays and Saturdays, could not be put ; but it is competent to move that the House, at its rising, adjourn to any particular day.

1869. Vol. 6. p. 572.—Days of Sitting. *Monro.*

AMENDMENTS BY THE GOVERNOR.

Can be amended by the House.

1870. Vol. 9, p. 701.—Immigration and Public Works Loan Bill. *Monro.*

Appropriation Bill remains in custody of the Speaker, and the Government cannot send amendment by message from the Governor after the Bill has passed.

1878. Vol. 30, p. 1296.—Immigration and Public Works Appropriation Bill. *Fitzherbert.*

AMENDMENTS BY THE LEGISLATIVE COUNCIL.

Should be considered *seriatim*.

1869. Vol. 6, p. 484.—Disturbed Districts Bill. *Monro.*

Having been disagreed to, and message to that effect sent to the Legislative Council, further action rests with the Legislative Council.

1870. Vol. 9, p. 693.—George Green Land Claims Bill. *Monro.*

Can be amended by the House of Representatives, but no new matter introduced except in case of a money vote being required.

1870. Vol. 9, p. 644.—Provincial Ordinances Validation Bill. *Monro.*

Amendments by the Legislative Council—continued.

An amendment to an amendment by the Legislative Council, which would alter the substance of what both Houses agreed to, cannot be made.

1872. Vol. 18, p. 766.—Highway Boards Empowering Bill. Bell.

Amendments inadmissible.

Legislative Council cannot amend resolutions sent to it for concurrence.

1869. Vol. 6, p. 668.—Internal Defence. Monro.

Amendments by the Legislative Council increasing the appropriations made by the House of Representatives are beyond the proper functions of the Legislative Council ;

1871. Vol. 11, pp. 527, 557, 558.—Diseased Cattle Bill. Bell.

or expunging appropriation clauses ;

1871. Vol. 11, pp. 920, 921, 922, 1055.—Payment of Provinces Bill. Bell.

or attaching conditions or limitations to the expenditure of money ;

1885. Vol. 53, pp. 945, 950.—District Railways Bill. O'Rorke.

or inserting a taxing-clause in a Bill ;

1882. Vol. 43, pp. 970, 986.—District Railways Bill. O'Rorke.

or striking a clause out of a money Bill ; and Speaker would consent to such Bill being placed in the Appropriation Bill ;

1881. Vol. 40, p. 706.—Pensions Bill. O'Rorke.

Amendments by the Legislative Council—continued.

or transferring a charge on Land Fund to gold revenue, when the Bill is laid aside and another introduced if the House wishes to give effect to the suggestion of the Legislative Council;

1875. Vol. 19, pp. 259, 308, 309.—Goldfields Bill. Bell.

or amending a rating-clause of a Bill, though not a money Bill; but the Bill need not be laid aside.

1886. Vol. 56, pp. 532, 562.—Harbours Bill. O'Rorke.

Sometimes the only reason given by the House for disagreeing with amendments by the Lords is that they infringe the privileges of the House.

1881. Vol. 40, p. 459.—Pensions Bill. O'Rorke.

Amendments admissible.

Amendments by the Legislative Council imposing penalties to protect the revenue or punish offenders are permitted;

1872. Vol. 13, p. 292.—Drawbacks Bill. Bell.

or imposing fees for service rendered under a Bill.

1888. Vol. 63, p. 85.—Coroners Bill. O'Rorke.

When an amendment by the Legislative Council does not affect the privileges of the

Amendments by the Legislative Council—continued.

House so as to necessitate raising a question of privilege it is agreed to, and a special entry is made in the Journals.

1886. Vol. 56, p. 738.—Property Assessment Bill. O'Rorke.

If the Legislative Council amend their original amendments to a money clause in a Bill so as to concur in the desire of the House, the House will agree to such amendment, and an entry to that effect will be made in the Journals, with a note as follows: "but the House of Representatives cannot waive the question of constitutional privilege raised in the reasons advanced by them for disagreeing to the original amendments of the Council."

1871. Vol. 11, p. 857.—Diseased Cattle Bill. Bell.
(Resolution of the House.)

AMENDMENTS TO BILLS.

[See also "Amendments by Governor," and "Amendments by Legislative Council."]

Only amendment allowed to motion for leave to introduce a Bill is one by which the proposed title is altered.

1879. Vol. 32, p. 223. — Qualification of Elector Bill. O'Rorke.

"That the County of Westland be constituted a province" is a good amendment to motion for

Amendments to Bills—continued.

leave to introduce a Bill to amend the County of Westland Act.

1869. Vol. 6, p. 481.—County of Westland Bill. Monro.

Motion that “it is expedient that a Bill be prepared during the recess, providing for the separation of the City of Wellington and the surrounding country from the remainder of the province,” &c., could not be put as an amendment to second reading of a Bill providing for putting the Province of Wellington in a position to pay off its liabilities, because it proposed a constitutional change.

1871. Vol. 11, p. 879.—Wellington Debts Bill. Bell.

Resolution calling in question the administration of the immigration policy by the Agent-General cannot be moved as amendment to second reading of a Bill dealing with immigrants’ land.

1873. Vol. 15, p. 1110.—Immigrants Land Bill. Bell.

Resolutions moved as amendment to the second reading of a Bill, if negatived, can be brought forward in Committee.

1880. Vol. 37, p. 578.—Property Assessment Bill. O’Rorke.

Amendment can be moved in Committee on a Bill dealing with Crown lands, although such

Amendments to Bills—continued.

amendment has not previously been before the Waste Lands Committee.

1870. Vol. 9, p. 163.—Otago Hundreds Bill. *Monro*.

Amendment to the third reading of a Bill in the form of a resolution is in order.

1870. Vol. 9, p. 642.—Disqualification Bill. *Monro*.

“This House is of opinion that the property-tax should be amended early next session, with a view to establishing an income- and land-tax exempting improvements,” cannot be put as an addition to the question of the third reading of the Appropriation Bill, but must be put as superseding the motion.

1888. Vol. 63, p. 482.—Appropriation Bill. *O'Rorke*.

AMENDMENTS TO MOTIONS.

Amendment must be to strike out some portion of a motion which is objectionable, or to elucidate it so as to make it more acceptable.

1877. Vol. 25, p. 13.—Land Fund. *Fitzherbert*.

Admissible.

An amendment can be moved to a motion that all the words after “That” be omitted, and others substituted which are diametrically the opposite of the words of the original motion.

1867. Vol. 1, p. 984.—Chairman of Committees. *Monro* (quoting *May's “Parliamentary Practice”*).

Amendments to Motions—continued.

Inadmissible.

Amendment to substitute “inquire into” for “investigate and report,” in order to enable a member to speak, is an evasion of the rule that members who have spoken to the original resolution can speak to a *bond fide* amendment.

1868. Vol. 2, p. 547.—Colonial and Provincial Government Accounts. Monro.

An amendment which would deprive a member of his opportunity to move a substantive motion cannot be moved.

1871. Vol. 10, p. 465.—*Monro v. Luckie*. Bell.

Order.

Amendment dealing with earlier part of a resolution is taken first.

1867. Vol. 1, p. 165.—Financial Condition of the Colony. Monro.

Words proposed to be added should be first put.

1881. Vol. 38, p. 393.—*Heta Hamuera*. O'Rorke.

If an amendment (2) is moved to an amendment (1), amendment (1) is for the time being treated as a substantive motion.

1877. Vol. 24, pp. 544, 545.—Taxation. Fitzherbert.

Who cannot move.

Mover of an original motion cannot move an amendment to it.

1888. Vol. 60, p. 300.—*R. C. Shearman*. O'Rorke.

Amendments to Motions—continued.

Seconded of an original motion cannot move an amendment to it.

1867. Vol. 1, p. 764.—Address to Governor Grey. Monro.

A member who has spoken to an amendment cannot move another amendment.

1880. Vol. 36, p. 28.—Civil Service. O'Rorke.

Who can move.

The words of a motion having been struck out, and the question being that other words be inserted, the mover of the original motion can move to amend the other words.

1877. Vol. 27, p. 23.—Want of Confidence. Fitzherbert.

If the mover of a motion omits part of it, it is competent to another member to move the addition of the omitted words.

1887. Vol. 58, p. 19.—Local Bills. O'Rorke.

Member moving an amendment can vote against it if he is convinced by argument that the original motion was better.

1888. Vol. 62, p. 198.—Supply. O'Rorke.

Withdrawal.

Amendment must be withdrawn before original motion can be withdrawn.

1887. Vol. 58, p. 392.—Words used by Sir J. Vogel. O'Rorke.

Amendments to Motions—continued.

Member cannot make a second speech on his amendment in asking leave to withdraw it.

1888. Vol. 62, p. 56.—Supply. O'Rorke.

Legislative Council cannot amend resolutions sent to it for concurrence.

1869. Vol. 6, p. 668.—Internal Defence. Monro.

ATTENDANCE OF MEMBERS.

Members are bound to attend unless leave of absence is given.

1869. Vol. 6, p. 429.—Government Business. Monro.

A person duly elected has all the privileges of a member except sitting and voting, which he cannot do until he has taken the oath.

1887. Vol. 59, p. 359.—Mr. Brown. O'Rorke.

BALLOT.

If demanded must be taken.

1867. Vol. 1, p. 174.—Financial Condition of the Colony. Monro.

1868. Vol. 2, p. 185.—Road Districts Bill. Monro.

BILLS.

[See also "Amendments by the Legislative Council" and "Conferences."]

BILLS.—INTRODUCTION AND FIRST READING.

Leave having been given to introduce a Bill, it cannot be withheld by member in charge;

Bills—Introduction and First Reading—continued.

for the House is not to be baulked by the reluctance of one member to proceed.

1867. Vol. 1, p. 1213.—Customs Tariff Bill. Monro.

Member preparing a Bill is responsible that it is properly prepared and placed in the hands of the Clerk.

1868. Vol. 3, p. 402.—Registration of Electors Bill. Monro.

Member introducing a Bill can explain it, but there should be no debate till second reading.

1876. Vol. 21, p. 261.—Native Land Sales Bill. Fitzherbert.

No debate on first reading.

1887. Vol. 58, p. 487.—Land Bill. O'Rorke.

Speaker, not knowing the nature of a Bill, cannot stop its first reading.

1887. Vol. 58, p. 488.—Land Bill. O'Rorke.

If leave refused to introduce a Bill it cannot be introduced again that session.

1879. Vol. 32, p. 223.—Qualification of Electors Bill. O'Rorke.

Money Bills.

Private members cannot introduce Bills dealing with public money without the consent of the Crown.

1879. Vol. 32, p. 610.—Payment of Members. O'Rorke.

Bills—Introduction and First Reading—continued.

1880. Vol. 37, p. 354.—Hamilton-Omahu Railway Bill. O'Rorke.

1882. Vol. 42, p. 646.—Property-tax and Customs Reduction and Land-tax Imposition Bill. O'Rorke.

Etc.

Bill of private member dealing with public revenue cannot be proceeded with.

1874. Vol. 16, p. 454.—Highway Boards Bill. Bell.

Annual Appropriation Bill is not sent down by the Governor, but is prepared by the Treasurer when Supply is closed.

1875. Vol. 17, p. 366.—Abolition of Provinces Bill. Bell.

Bill guaranteeing payment of dividends and interest must be initiated in Committee.

1868. Vol. 2, p. 154.—Dunedin Waterworks Bill. Monro.

Bill imposing taxation, or appropriating any of the public estate, not having been initiated in Committee, is discharged.

1876. Vol. 20, p. 421.—Stamp Bill. Fitzherbert.

1876. Vol. 21, p. 578.—Otago Museum Bill. Fitzherbert.

If a money Bill is introduced, not in Committee of the Whole, the proceedings are annulled, and the Bill is reintroduced in Committee.

1888. Vol. 60, p. 107.—New Zealand Loan Bill. O'Rorke.

Bills—Introduction and First Reading—continued.

Bill to release payments due to the Crown not having been introduced in Committee, held that member in charge might substitute motion to go into Committee to get leave to introduce the Bill for motion for the second reading.

1869. Vol. 6, p. 786.—Crown Grants Bill. *Monro.*

Bill to issue (four million) notes as legal tender, payable on demand by the Government, cannot be introduced by a private member, even with the consent of the Government.

1886. Vol. 55, p. 548.—New Zealand Note Currency Bill. *O'Rorke.*

Motion by a private member for leave to introduce a Bill to repeal the Property Assessment Act would be in order, but not to substitute a land-tax.

1884. Vol. 48, p. 68.—Property Assessment Act Repeal Bill. *O'Rorke.*

When appropriation is the chief object of a Bill the appropriation must be considered in the first instance.

1870. Vol. 8, p. 381.—University Bill. *Monro.*

When appropriation is a mere incident of a Bill the Bill is read a second time, and then the appropriation is considered in Committee of the Whole.

1875. Vol. 17, pp. 365, &c., 706.—Abolition of Provinces Bill. *Bell.*

Bills—Introduction and First Reading—continued.

Bill repealing former appropriation does not require the consent of the Government.

1872. Vol. 13, p. 497.—Auckland University Bill.
Bell.

Miscellaneous.

Harbour Board Bills must be introduced in Committee.

1876. Vol. 21, p. 530.—Harbour Board Bills. Fitzherbert.

If a Bill is introduced containing provisions not authorised by the order of leave, it is better to let the inconsistencies be remedied in Committee.

1882. Vol. 43, p. 757.—Libel Bill. O'Rorke.

Bill sent down by the Governor must be read a first time at once.

1875. Vol. 17, p. 365.—Abolition of Provinces Bill.
Bell.

While a Bill is pending before the Legislature it is not regular to introduce a second Bill of the same argument and substance.

1869. Vol. 6, p. 399.—Election by Ballot Bill.
Monro.

If a Bill is introduced as a matter of urgency it is not necessary to suspend Standing Orders to pass it through all stages at one sitting.

1888. Vol. 60, p. 156.—Chinese Immigrants Bill.
O'Rorke.

1888. Vol. 60, p. 621.—Customs Duties Bill.
O'Rorke.

Bills—Introduction and First Reading—continued.*Local Bills.*

Bill introduced by the Government is not exempt from the Standing Orders relating to local Bills.

1888. Vol. 60, p. 350.—River Boards Bill. O'Rorke.

If, after second reading, the House comes to the conclusion that a Bill is a local Bill the order for second reading is rescinded, and proceedings commence *de novo*.

1888. Vol. 62, p. 122.—Hospitals and Charitable Institutions Bill. O'Rorke.

Revival.

A Bill can be revived after the Chairman has been ordered to leave the chair.

1879. Vol. 34, p. 614.—Honorarium. O'Rorke.

Amendments.

Only amendment allowed on motion for leave to introduce a Bill is one by which the proposed title is altered.

1879. Vol. 32, p. 223.—Qualification of Electors Bill. O'Rorke.

“That the County of Westland be constituted a Province” is a good amendment to the motion for leave to introduce a Bill to amend the County of Westland Act.

1869. Vol. 6, p. 481.—County of Westland Bill. Monro.

Bills—Introduction and First Reading—continued.

On motion for leave to introduce a Customs Tariff Bill, member not in charge may move that items of exemption agreed to by the Committee of Ways and Means be inserted.

1867. Vol. 1, p. 1211.—Customs Tariff Bill. Monro.

In the session of 1888 the following Standing Orders were adopted :—

JOINT COMMITTEE ON BILLS.

1. There shall be a Joint Committee appointed at the commencement of each session, consisting of five members of the Legislative Council and five members of the House of Representatives, to which any Bill may be referred by the Speaker of either House during its progress. The Committee shall inquire into the character of the Bill so referred, as to whether it is a public, local, or private Bill, and report their opinion thereon to both Houses.

LOCAL BILLS.

2. In the event of there being two sessions in any year, the notices, advertisements, and deposits issued and made in compliance with the Standing Orders with regard to local Bills initiated in the first session of the said year shall be and be deemed to be a compliance with the Standing Orders for the second session of the said year, and to be effectual accordingly.

Bills—Introduction and First Reading—continued.**PRIVATE BILLS.**

3. In the event of there being two sessions in any year, the notices, advertisements, and deposits issued and made in compliance with the Standing Orders with regard to private Bills initiated in the first session of the said year shall be and be deemed to be a compliance with the Standing Orders for the second session of the said year, and to be effectual accordingly.

BILLS—SECOND READING.

Member moving second reading is entitled to reply.

1873. Vol. 15, p. 1232. — Ministerial Statement. Bell.

Petition against a Bill should be presented when the order for second reading is called on, and not after the question is put.

1869. Vol. 6, p. 468.—Law Society's Bill. Monro.

A Bill having been shelved by motion for the adjournment of the House being carried, a motion without notice for its second reading on a particular day cannot be made without the consent of the House.

1878. Vol. 29, p. 338. — Education Bill. Fitzherbert.

Amendments.

The sense of the House must be taken on the

Bills—Second Reading—continued.

motion that a Bill be read a second time “ this day six months ” without variation of time.

1884. Vol. 48, p. 398.—Property Assessment Bill.
O'Rorke.

It is competent on the second reading of a Bill to move an abstract resolution that it is advisable to expend public money in a certain other way than that proposed by the Government.

1886. Vol. 56, p. 186.—New Zealand Loan Bill.
O'Rorke.

A motion that a Bill be referred to the Waste Lands Committee can be moved as an amendment to the motion for second reading.

1883. Vol. 46, p. 278.—Russell Exchange of Land Bill. O'Rorke.

A Bill containing a clause which tends to increase fees is allowed to be read a second time ; but the attention of the Chairman of Committees is called to it.

1879. Vol. 32, pp. 486, 487. — Licensing Bill.
O'Rorke.

Private member cannot, without the consent of the Crown, move an amendment to the second reading of a Bill that the exemption under the property-tax be reduced from £500 to £300.

1880. Vol. 37, pp. 561, 562.—Property Assessment Bill. O'Rorke.

Bills—Second Reading—continued.

Resolution calling in question the administration of the immigration policy of the Government by the Agent-General cannot be moved as an amendment to the second reading of a Bill dealing with immigrants' land.

1873. Vol. 15, p. 1110.—Immigrants Land Bill. Bell.

Resolutions moved as an amendment to the second reading of a Bill, if negatived, can be brought forward in Committee.

1880. Vol. 37, p. 578.—Property Assessment Bill. O'Rorke.

Motion that "it is expedient that a Bill be prepared during the recess, providing for the separation of the City of Wellington and the surrounding country from the remainder of the Province," &c., could not be put as an amendment to the second reading of a Bill providing for putting the Province of Wellington in a position to pay off its liabilities, because it proposed a constitutional change.

1871. Vol. 11, p. 879.—Wellington Debts Bill. Bell.

BILLS—COMMITTAL.

The question, "That this Bill be committed presently" should not be discussed; but on the question, "That I do now leave

Bills—Committal—continued.

the chair," &c., debate on the whole Bill can be reopened.

1888. Vol. 60, p. 620.—Customs Duties Bill.
O'Rorke.

There should be no debate on the question of fixing the time for going into Committee on a Bill.

1886. Vol. 54, p. 543.—Government Loans to Local Bodies Bill. O'Rorke.

1886. Vol. 55, p. 53.—Midland Railway Bill.
O'Rorke.

When several Government Bills are committed together, Government can take them in the order it chooses.

1880. Vol. 37, p. 604.—Beer Duty Bill. O'Rorke.

Money Clauses.

If the duty imposed by a Bill is reduced in Committee, it can be restored on recommitment.

1880. Vol. 37, p. 606.—Beer Duty Bill. O'Rorke.

Speaker will not arrest a Bill because a money clause is not printed in a particular type.

1888. Vol. 62, p. 274.—Native Land Bill. O'Rorke.

A clause which is not within the leave granted by the House to introduce a Bill cannot be entertained.

1873. Vol. 14, p. 595.—Provincial Officers Disqualification Bill. Bell.

Bills—Committal—continued.

Speaker will not prejudge clauses that may or may not be proposed in Committee, where the Chairman will decide points of order.

1886. Vol. 56, p. 629.—Special Powers and Contracts Bill. O'Rorke.

A clause diverting an appropriation made by a previous Act can be considered by the Committee on the Bill without going through the preliminary stages of an appropriation clause, when the previous Act contemplated that such appropriation might be diverted.

1872. Vol. 13, p. 556.—Auckland University Bill. Bell.

If there is a taxing-clause in a Bill, the Chairman of Committees will, if necessary, pass it over, and it will be referred to Committee of the Whole, and remitted to Committee on the Bill.

1888. Vol. 62, p. 271.—Native Land Bill. O'Rorke.

No diversion of the sums in the schedule of a Loan Bill which are appropriated to specific purposes can be effected without the recommendation of the Crown.

1882. Vol. 43, p. 862.—New Zealand Loan Bill. O'Rorke.

A Bill can be revived after the Chairman has been ordered to leave the chair.

1879. Vol. 34, p. 614.—Honorarium. O'Rorke.

Bills—Committal—continued.*Amendments.*

Resolutions moved as an amendment to the second reading of a Bill, if negatived, can be brought forward in Committee.

1880. Vol. 37, p. 578.—Property Assessment Bill.
O'Rorke.

An amendment can be moved in Committee on a Bill dealing with Crown lands, although such amendment has not previously been before the Waste Lands Committee.

1870. Vol. 9, p. 163.—Otago Hundreds Bill.
Monro.

Powers of Committee.

Instructions to a Committee on matters which the Committee could perform without instructions are out of order.

1868. Vol. 4, p. 9.—Government House Site Bill.
Monro.

Committee on a Bill has not power to determine for itself a question affecting appropriation without obtaining the direction of the House.

1872. Vol. 13, p. 556.—Auckland University Bill.
Bell.

Disorderly conduct in Committee is reported by the Chairman to the Speaker, as the House alone has power to inflict a penalty.

1881. Vol. 40, p. 233. — Representation Bill.
O'Rorke.

Bills—Committal—continued.

Chairman is judge of all matters arising in Committee, and Speaker will not interfere with his decision at the suggestion of an individual member.

1881. Vol. 40, p. 97. — Representation Bill.
O'Rorke.

If the House is counted out Orders of the Day referred to the Committee lapse, and have to be revived.

1881. Vol. 40, p. 673.—Lapsed Business. O'Rorke.

Question decided in Committee is open to reconsideration; if decided in the House it is not.

1867. Vol. 1, p. 1158.—Steam Postal Subsidies.
Monro.

BILLS—REPORT, THIRD READING, ETC.

On consideration of the report on a Bill, a new clause, of which notice has been given, can be added by the House without recommitting the Bill.

1875. Vol. 19, p. 30.—Abolition of Provinces Bill.
Bell.

Recommittal.

It is not in order to recommit a portion of a clause; the whole clause must be recommitted.

1886. Vol. 54, pp. 589, 590.—Justices of the Peace Bill. O'Rorke.

Bills—Report, Third Reading, &c.—continued.

Bill cannot be recommitted when the House is considering amendments made by the Legislative Council.

1888. Vol. 61, p. 160.—Chinese Immigrants Bill. O'Rorke.

Recommittal of a Bill is not new business, and can be taken after 12.30 a.m.; third reading is new business, and cannot be taken after that hour unless it is "urgent," and the Standing Orders are suspended.

1887. Vol. 59, p. 432. — Representation Bill. O'Rorke.

Amendments.

An amendment to the third reading of a Bill in the form of a resolution is in order.

1870. Vol. 9, p. 642. — Disqualification Bill. Monro.

"This House is of opinion that the property-tax should be amended early next session, with a view to establishing an income- and a land-tax exempting improvements," cannot be moved as an addition to the question of the third reading of the Appropriation Bill, but must be put as superseding that motion.

1888. Vol. 63, p. 482.—Appropriation Bill. O'Rorke.

The principles of a Bill must not be discussed on the title.

1880. Vol. 37, p. 631.—Beer Duty Bill. O'Rorke.

BILLS—DISCHARGE.

Government Bills can be discharged *in globo* on the motion of a Minister.

1888. Vol. 63, p. 200.—Bills discharged. O'Rorke.

Motion for the discharge of an order of the day opens up the whole merits of the question.

1877. Vol. 24, p. 376.—Native Land Court Bill. Fitzherbert.

BILLS, "LOCAL."

A Bill introduced by the Government is not exempt from the Standing Orders relating to local Bills.

1888. Vol. 60, p. 350.—River Boards Bill. O'Rorke.

A Bill which relates to more than one locality is a public and not a local Bill.

1888. Vol. 62, p. 118.—Hospitals and Charitable Institutions Bill. O'Rorke.

Local Acts are liable to be dealt with by a measure of State policy.

1885. Vol. 51, p. 446.—New Zealand State Forests. O'Rorke.

House is not bound by notices in regard to local Bills, and is omnipotent in regard to them.

1886. Vol. 55, p. 189.—North Timaru Cemetery Reserve Bill. O'Rorke.

If, after the second reading, the House comes to the conclusion that a Bill is a local Bill, the

Bills, "Local"—continued.

order for the second reading is rescinded, and proceedings commence *de novo*.

1888. Vol. 62, p. 122.—Hospitals and Charitable Institutions Bill. O'Rorke.

In the session of 1888 the following Standing Orders were adopted :—

JOINT COMMITTEE ON BILLS.

1. There shall be a Joint Committee appointed at the commencement of each session, consisting of five members of the Legislative Council and five members of the House of Representatives, to which any Bill may be referred by the Speaker of either House during its progress. The Committee shall inquire into the character of the Bill so referred, as to whether it is a public, local, or private Bill, and report their opinion thereon to both Houses.

LOCAL BILLS.

2. In the event of there being two sessions in any year, the notices, advertisements, and deposits issued and made in compliance with the Standing Orders with regard to local Bills initiated in the first session of the said year shall be and be deemed to be a compliance with the Standing Orders for the second session of the said year, and to be effectual accordingly.

BILLS, "PRIVATE."

Definition.

Where the rights of private property are affected by a Bill it is a private Bill.

1868. Vol. 2, p. 221. — Canterbury Rivers Bill.
Monro.

Etc.

A Bill is a private Bill "if the public benefit is not the object primarily consulted, although the public may derive a large amount of benefit from its operation, but the advantage of a limited portion of the community is the object primarily sought." "Every measure should be treated more or less as a private Bill in carrying out the objects of which it is necessary to alienate or deal in a summary manner with private property."

1868. Vol. 4, p. 310. — Standing Orders. Monro.

Procedure.

A Bill which, technically speaking, is of a private nature, is allowed to proceed because "it was an amendment of an Act which was originally passed as a public one."

1868. Vol. 2, p. 483. — Bishop of New Zealand Trust Bill. Monro.

A public Bill can be amended by a private Bill.

1882. Vol. 41, p. 410. — Government Contractors Arbitration Bill. O'Rorke.

Bills, "Private"—continued.

If there is any doubt as to the nature of a Bill, it is introduced and referred to the Standing Orders Committee.

1867. Vol. 1, p. 243.—Busby Claims and Princes Street Reserves Bill. **Monro.**
Etc.

By the Standing Orders certain duties are specially assigned to the Chairman of Committees; but, as regards the conduct of the business of the House, either public or private, the ultimate and sole responsibility rests with the Speaker.

1867. Vol. 1, p. 601.—Standing Orders on Private Bills. **Monro.**

Speakers of the Legislative Council and House of Representatives appoint taxing-officer.

1867. Vol. 1, p. 337.—Standing Orders on Private Bills. **Monro.**

When a private Bill is read a second time it stands referred to the Committee of Selection, who nominate the Committee on the Bill, and in that Committee any amendment can be made before the Bill comes back to the House for its final stages.

1875. Vol. 17, p. 207.—Kaitangata Railway and Coal Company Bill. **Bell.**

Petition relating to a private Bill should be presented at the usual time for presenting peti-

Bills, "Private"—continued.

tions, and not when the House is considering the report of the Standing Orders Committee.

1867. Vol. 1, p. 505.—Dunedin Gas Company Bill.
Monro.

Shareholders in a company interested in a private Bill should not vote on it.

1867. Vol. 1, p. 507.—Dunedin Gas Company Bill.
Monro.

Reports of Joint Committee on Private Bills are open to revision by the House.

1878. Vol. 30, p. 996.—University of Otago Bill.
Fitzherbert.

"If the Committee report that the Standing Orders ought not to be dispensed with their decision is generally acquiesced in by the promoters, and is fatal to the Bill; but in order to leave the question still open for consideration the House agrees only to those reports which are favourable to the progress of Bills, and pass no opinion on the unfavourable reports, which are merely ordered to lie on the table.

"In some cases the decision of the Standing Orders Committee has been distinctly overruled by the House, either upon consideration of petitions from the promoters or by a direct motion in the House not founded on any petition; but as the House has generally been disposed to

Bills, "Private"—continued.

support the Committee, attempts to reverse or disturb its decisions have rarely been successful."

1867. Vol. 1, p. 506.—Dunedin Gas Company Bill. Monro (quoting May's "Parliamentary Practice").

In the session of 1888 the following Standing Orders were adopted :—

JOINT COMMITTEE ON BILLS.

1. There shall be a Joint Committee appointed at the commencement of each session, consisting of five members of the Legislative Council and five members of the House of Representatives, to which any Bill may be referred by the Speaker of either House during its progress. The Committee shall inquire into the character of the Bill so referred, as to whether it is a public, local, or private Bill, and report their opinion thereon to both Houses.

PRIVATE BILLS.

2. In the event of there being two sessions in any year, the notices, advertisements, and deposits issued and made in compliance with the Standing Orders with regard to private Bills initiated in the first session of the said year shall be and be deemed to be a compliance with the Standing Orders for the second session of the said year, and to be effectual accordingly.

BILLS—MISCELLANEOUS POINTS.

If the House wishes to know where a Bill is, a Committee of Search should be appointed.

1881. Vol. 40, p. 705.—Pensions Bill. O'Rorke.

When a Committee is appointed to search the Journals of the Legislative Council, the Clerk of that House should wait on the Committee. (N.B.—A Committee of the Legislative Council asserts the right of that body to appoint the time and place of search.)

1881. Vol. 40, p. 827.—Pensions Bill. O'Rorke.

Bill passed in one session may be repealed or amended in the same session.

1869. Vol. 6, p. 399.—Election by Ballot Bill. Monro.

Members personally interested cannot vote.

1868. Vol. 4, p. 139.—Conveyancing Charges Bill. Monro.

Receiving fee for "promoting" a Bill by your vote is a breach of privilege; but not for "drafting."

1877. Vol. 26, p. 333.—H. H. Lusk. Fitzherbert.

Members pecuniarily interested in railways must not vote on Bills affecting those railways.

1879. Vol. 34, p. 1024.—Public Works Bill. O'Rorke.

Bills—Miscellaneous Points—continued.

A Bill can only be referred to a Select Committee after second reading.

1868. Vol. 2, p. 158.—Road Districts Bill. Monro.

1868. Vol. 2, p. 488.—Goldfields Bill. Monro.

A Bill may be put at the top of the Orders of the Day, as a Bill “likely to go out of the House immediately.”

1884. Vol. 48, p. 381.—Pensions Bill. O’Rorke.

A public Bill can be amended by a private Bill.

1882. Vol. 41, p. 410.—Government Contractors Arbitration Bill. O’Rorke.

A State Forests Bill, not being brought in for the sale, letting, or disposal of waste lands in the ordinary sense of land measures, need not be sent to the Waste Lands Committee; but a member may move that it be so sent.

1885. Vol. 51, p. 449.—New Zealand State Forests. O’Rorke.

Appropriation Bills remain in the custody of the Speaker, and Government cannot send an amendment by message after they have been passed.

1878. Vol. 30, p. 1296.—Immigration and Public Works Appropriation Bill. Fitzherbert.

When a Provincial Ordinance makes reservation of public estate, a Bill amending it is not fresh appropriation.

1877. Vol. 25, p. 153.—New Plymouth Harbour Board Bill. Fitzherbert.

Bills—Miscellaneous Points—continued.

Two-thirds of the House must be present to suspend so much of the Standing Orders as will enable a Bill to pass through all stages at one sitting.

1888. Vol. 60, p. 156.—Chinese Immigrants Bill. O'Rorke.

Imprest Supply Bills are usually put through all stages at one sitting, if the Minister says it is a matter of urgency.

1877. Vol. 24, pp. 537, 538.—Imprest Supply Bill. Fitzherbert.

Amendments by the Governor can be amended by the House.

1870. Vol. 9, p. 701. — Immigration and Public Works Loan Bill. Monro.

Bills specially affecting the Maori race are, by the Standing Orders, translated into Maori.

1867. Vol. 1, p. 49.—Petition of Arawas. Monro.

CABINET.

Ministers must not reveal what takes place in Cabinet without the Governor's consent.

1874. Vol. 16, pp. 582, 640.—Provincial Changes. Bell.

CHAIRMAN OF COMMITTEES.

[See also "Committee of the Whole and on Public Bills."]

Chairman is judge of all matters arising in Committee, and the Speaker will not interfere

Chairman of Committees—continued.

with his decision at the suggestion of an individual member.

1881. Vol. 40, p. 97. — Representation Bill.
O'Rorke.

Speaker does not interfere with the decisions of the Chairman unless the Committee express a wish to take his opinion; an individual member cannot appeal from the Chairman to the Speaker.

1888. Vol. 60, p. 352.—Justices of the Peace Bill.
O'Rorke.

Chairman decides whether an amendment is relevant.

1870. Vol. 9, p. 163. — Otago Hundreds Bill.
Monro.

Chairman reports disorderly conduct to the Speaker, as House alone has power to inflict a penalty.

1881. Vol. 40, p. 233. — Representation Bill.
O'Rorke.

When Chairman gives his casting-vote, and an error is discovered in the division, so that the decision of the House is reversed by such casting-vote, the Bill is recommitted.

1868. Vol. 4, p. 152.—Immigration Bill. Monro.

If a member wishes to propose that the Committee on a Bill elect its Chairman in lieu of

Chairman of Committees—continued.

the Chairman of Committees, such member proposes a Chairman to the Clerk, and the Speaker resumes the chair.

1867. Vol. 1, p. 979.—Chairman of Committees. *Monro.*

If a member disputes the ruling of the Chairman of Committees, the proper course is to give notice of motion.

1867. Vol. 1, p. 979.—Privilege. *Monro.*

COMMITTEE OF THE WHOLE AND ON PUBLIC BILLS.

The ordinary functions of a Committee of the Whole are deliberation, and not inquiry : all matters concerning religion, trade, the imposition of taxes, or the grant of public money are required to be considered in Committee as a preliminary to legislation ; also any other matters which, in the opinion of the House, can be more fitly discussed in Committee.

1868. Vol. 3, p. 201.—Supply. *Monro.*

Bills.

In Committee on a Bill dealing with waste lands a member can propose any amendment he thinks proper, although such amendment had not previously been before the Waste Lands Committee.

1870. Vol. 9, p. 163.—Otago Hundreds Bill. *Monro.*

Committee of the Whole and on Public Bills—continued.

Committee on a Bill has not power to determine for itself a question affecting appropriation without obtaining the direction of the House.

1872. Vol. 13, p. 556.—Auckland University Bill. Bell.

A clause which is not within the leave given by the House to introduce a Bill cannot be entertained.

1873. Vol. 14, p. 595.—Provincial Officers Disqualification Bill. Bell.

If there is a taxing-clause in a Bill the Chairman will, if necessary, pass it over, and it will be referred to Committee of the Whole and remitted to Committee on the Bill.

1888. Vol. 62, p. 271.—Native Land Bill. O'Rorke.

When appropriation is the chief object of a Bill the appropriation must be considered in the first instance.

1870. Vol. 8, p. 381.—University Bill. Monro.

When appropriation is a mere incident of a Bill the Bill is read a second time, and then the appropriation is considered in Committee of the Whole.

1875. Vol. 17, p. 365, &c., 706.—Abolition of Provinces Bill. Bell.

Committee of the Whole and on Public Bills—continued.

Bill guaranteeing payment of dividends and interest must be initiated in Committee of the Whole.

1868. Vol. 2, p. 154.—Dunedin Waterworks Bill. Monro.

Harbour Board Bills must be introduced in Committee of the Whole.

1876. Vol. 21, p. 530.—Harbour Board Bills. Fitzherbert.

A clause diverting an appropriation made by a previous Act can be considered by Committee on the Bill without going through the preliminary stages of an appropriation clause, when the previous Act contemplated that such appropriation might be diverted.

1872. Vol. 13, p. 556.—Auckland University Bill. Bell.

Speaker will not arrest a Bill because a money-clause is not printed in a particular type.

1888. Vol. 62, p. 274.—Native Land Bill. O'Rorke.

No diversion of the sums in the schedule of a Loan Bill which are appropriated to specific purposes can be effected without the recommendation of the Crown.

1882. Vol. 43, p. 862.—New Zealand Loan Bill. O'Rorke.

If the duty imposed by a Bill is reduced in Committee it can be restored on recommitment.

1880. Vol. 37, p. 606.—Beer Duty Bill. O'Rorke.

Committee of the Whole and on Public Bills—continued.

Proceedings in Committee on a Bill are under review when the report is made.

1872. Vol. 13, p. 556.—Auckland University Bill. Bell.

When no report is made in consequence of the Chairman leaving the chair, it is competent to move without notice that the Bill be reconsidered by the Committee.

1870. Vol. 9, p. 249.—University Bill. Monro.

1873. Vol. 15, p. 804.—Gold-mining Bill. Bell.

A Bill can be revived after the Chairman has been ordered to leave the chair.

1879. Vol. 34, p. 614.—Honorarium. O'Rorke.

Money-grants.

Debate on motion for a money-grant should not be entered on until the House goes into Committee of the Whole.

1867. Vol. 1, p. 471.—Pensions and Gratuities. Monro.

1867. Vol. 1, p. 881.—Resident Magistrate, Leeston. Monro.

1884. Vol. 49, p. 60.—House Accommodation for Railway Workmen. O'Rorke.

If an address for a certain amount of money is referred to a Committee of the Whole, the Committee cannot increase it. Therefore, if the House desire to increase the vote, it is necessary

Committee of the Whole and on Public Bills—continued.

for some member to move to that effect before the question is referred to the Committee.

1882. Vol. 41, p. 604. — Technical Education.
O'Rorke.

Taxation.

Tax to be applied for only one year is discussed in Committee of Ways and Means, but a scheme for further taxation is discussed in Committee of the Whole.

1870. Vol. 8, p. 149.—Customs Tariff. Monro.

Instructions to Committee on matters which the Committee could perform without such instructions are out of order.

1868. Vol. 4, p. 9.—Government House Site Bill.
Monro.

Chairman's Duties.

Chairman is judge of all matters arising in Committee, and Speaker will not interfere with his decision at the suggestion of an individual member.

1881. Vol. 40, p. 97. — Representation Bill.
O'Rorke.

Speaker does not interfere with the decisions of the Chairman unless the Committee express a wish to take his opinion. An individual member cannot appeal from the Chairman to the Speaker.

1888. Vol. 60, p. 352.—Justices of the Peace Bill.
O'Rorke.

Committee of the Whole and on Public Bills—continued.

Chairman decides whether an amendment is relevant.

1870. Vol. 9, p. 163.—Otago Hundreds Bill.
Monro.

Chairman reports disorderly conduct to the Speaker, as House alone has power to inflict a penalty.

1881. Vol. 40, p. 233.—Representation Bill.
O'Rorke.

When Chairman gives his casting-vote, and an error is discovered in the division, so that the decision of the House is reversed by such casting-vote, the Bill is recommitted.

1868. Vol. 4, p. 152.—Immigration Bill. Monro.

If a member wishes to propose that the Committee on a Bill elect its Chairman in lieu of the Chairman of Committees, such member proposes a Chairman to the Clerk, and the Speaker resumes the chair.

1867. Vol. 1, p. 979.—Chairman of Committees.
Monro.

Miscellaneous.

When several Government Bills are committed together, Government can take them in whatever order it chooses.

1880. Vol. 37, p. 604.—Beer Duty Bill. O'Rorke.

Committee of the Whole and on Public Bills—continued.

If the House is counted out, Orders of the Day referred to Committee lapse and have to be revived.

1881. Vol. 40, p. 678.—Lapsed Business. O'Rorke.

A question decided in Committee is open to reconsideration; if decided in the House it is not.

1867. Vol. 1, p. 1158.—Steam Postal Subsidies.
Monro.

Resolution reported from Committee of the Whole can be considered forthwith; from Committee of Ways and Means it cannot.

1868. Vol. 3, p. 471.—Want of Confidence. Monro.

Member cannot raise a question in the House as to proceedings in Committee unless officially reported to the Speaker.

1868. Vol. 3, p. 472.—Want of Confidence. Monro.

COMMITTEES, SELECT.*Constitution.*

Motion for appointment first agreed to, then names selected by ballot if demanded.

1867. Vol. 1, p. 174.—Financial Condition of the Colony. Monro.

Notice of motion to add names must be given.

1868. Vol. 2, p. 7.—Waste Lands Committee, &c.
Monro.

Committees, Select—continued.

On motion to add a name to a Committee, an amendment, "That the Committee be discharged," cannot be put.

1869. Vol. 5, p. 265.—Library Committee. Monro.

Motion that a Committee "consist of the members of this Assembly who represent constituencies in the different provinces" is an evasion of the rule that notice must be given of new names.

1876. Vol. 21, p. 515.—Counties Bill. Fitzherbert.

In case of privilege it is not necessary to give notice of names.

1877. Vol. 26, p. 100.—Disqualification. Fitzherbert.

Public Accounts Committee is by usage a Parliamentary Committee, but it should be elected every session.

1883. Vol. 46, p. 596.—Public Accounts. O'Rorke.

1884. Vol. 48, p. 311.—Public Accounts. O'Rorke.

Revival.

A Committee *functus officio* can be revived.

1879. Vol. 31, p. 458.—Thames-Waikato Railway. O'Rorke.

Chairman.

Committee elects its Chairman, and the House cannot call its action into question.

1880. Vol. 35, p. 188.—Native Affairs. O'Rorke.

Committees, Select—continued.*Instructions.*

Instruction can be given to a Committee to consider the principles of a Bill.

1867. Vol. 1, p. 437.—Medical Practitioners Bill.
Monro.

If instructions are defective Committee should submit to the House such instructions as it desires.

1870. Vol. 9, p. 187. — Goldfields Committee.
Monro.

Proceedings.

Cannot sit during sitting of the House except by permission.

1869. Vol. 6, p. 885.—Public Petitions Committee.
Monro.

Can sit while Conference is being held.

1886. Vol. 56, p. 662.—Harbours Bill. O'Rorke.

Cannot sit to take fresh evidence after it has reported; but a member may make a statement in writing, and ask leave to lay it on the table.

1873. Vol. 15, p. 1008.—Floatage of Timber Bill.
Bell.

Cannot order official opinion of the Law Officer of the Crown to be produced.

1875. Vol. 19, p. 94.—Wanganui Industrial School.
Bell.

Members present must vote on a division.

1878. Vol. 29, p. 480.—Divisions in Select Committees. Fitzherbert.

Committees, Select—continued.

If a member, not having been elected a member of a Select Committee, takes part in the proceedings, those proceedings in which he takes part are invalid, and referred back to the Committee.

1870. Vol. 9, p. 458. — Goldfields Committee.
Monro.

Report and Minutes.

If a resolution is carried in a Select Committee, then the question should be put that the resolution be the report to the House.

1881. Vol. 38, p. 393.—Heta Hamuera. O'Rorke.

Must bring up report within time assigned.

1867. Vol. 1, p. 925.—Financial Condition of the Colony. Monro.

If a Committee neglects to report, a motion can be moved requiring it to report, and the Committee may be censured.

1870. Vol. 8, p. 451.—Otago Hundreds Bill. Monro.

1870. Vol. 9, p. 702.—Mount Benger Petition.
Monro.

Committee should bring up minutes of proceedings and evidence with report.

1880. Vol. 35, p. 189.—Native Affairs. O'Rorke.

House may negative motion that the minutes lie on the table.

1887. Vol. 59, p. 178.—Land for Settlement Bill.
O'Rorke.

Committees, Select—continued.

Chairman signs report as mouthpiece of the majority, and not necessarily as concurring in it.

1867. Vol. 1, p. 1223.—Financial Condition of the Colony. *Monro.*

Motion to adopt a report is not a convenient course: should be that effect be given to the report by legislation.

1882. Vol. 41, p. 104.—Corrupt Practices Bill. *O'Rorke.*

Minority have no right to bring up a protest against the report of a Committee;

1867. Vol. 1, p. 1168.—Financial Condition of the Colony. *Monro.*

or enter a protest on the minutes.

1867. Vol. 1, p. 1220.—Financial Condition of the Colony. *Monro.*

If protest brought up, motion should be made that it be expunged.

1867. Vol. 1, p. 1224.—Financial Condition of the Colony. *Monro.*

Protest may be made against a Committee dealing with a matter not referred to it.

1867. Vol. 1, p. 1229.—Financial Condition of the Colony. *Monro.*

Publication of a report before it is presented to the House is a breach of privilege.

1881. Vol. 39, p. 99.—Privilege. *O'Rorke.*

Committees, Select—continued.

It is not in order to refer to the proceedings of a Select Committee until it has reported.

1870. Vol. 9, p. 72.—Representation Bill. Monro.

1880. Vol. 35, p. 188.—Native Affairs. O'Rorke.
Etc.

Members disclosing proceedings of a Select Committee before it has reported have been committed to the custody of the Sergeant-at-Arms, and publishers summoned to the bar.

1883. Vol. 45, p. 449.—Privilege. O'Rorke.

Chairman should not disclose the contents of a report before it is brought up.

1888. Vol. 62, p. 327.—Chief Judge Native Land Court. O'Rorke.

Native Petitions.

Native petitions go before Native Affairs Committee, but not necessarily Bills.

1888. Vol. 63, p. 519.—Mokau-Mohakatino Bill.
O'Rorke.

CONFERENCES.

House suspends its sitting during the holding of a Conference; members have a right to be present.

1867. Vol. 1, p. 1302.—Conferences. Monro.

Select Committees can sit while Conference is being held.

1886. Vol. 56, p. 662.—Harbours Bill. O'Rorke.

Conferences—continued.

Managers take up written reasons, and their sole duty is to hand them to the Managers of the other House.

1868. Vol. 3, p. 190.—Prevention of Fraud Bill.
Monro.

Managers of a Conference should be chosen from the majority, but it is for the House to decide.

1877. Vol. 26, p. 47.—Canterbury Rivers Bill.
Fitzherbert.

The House should not receive the report of the Managers of a Conference unless they are unanimous in their opinion.

1886. Vol. 56, pp. 661, 662, 738.—Harbours Bill.
O'Rorke.

New Managers cannot be appointed until the old ones have reported, whether they agree or disagree.

1886. Vol. 56, p. 708.—Harbours Bill. O'Rorke.

Question of privilege should be raised before the matter is made the subject of a Conference.

1886. Vol. 56, p. 763.—Local Bodies' Loans Bill.
O'Rorke.

In the session of 1888 the following Standing Orders were adopted :—

(In lieu of Standing Order No. 239)—

After one or more messages on any subject a Free Conference thereon may be held, at which

Conferences—continued.

the difference between the two Houses may be discussed. Further Free Conferences may be held on the same subject if desired by either House.

(As Standing Order No. 239A)—

If a Free Conference is held, and no agreement come to, the Bill or resolution which was the subject of such Conference shall be in possession of the House objecting to the amendments, so that it may, if it think fit, accept the Bill or resolution.

COUNT OUT.

If the House is counted out, Orders of the Day referred to the Committee lapse, and have to be revived.

1881. Vol. 40, p. 673.—Lapsed Business. O'Rorke.

CROWN LANDS.

Recommendation of the Crown is necessary to dealing with Crown lands.

1868. Vol. 4, p. 308.—Major Brown's Case. Monro. Etc.

Resolution that a grant of land be given should be considered in Committee of the Whole.

1877. Vol. 25, p. 473.—Auckland Defence Force. Fitzherbert.

Crown Lands—continued.

Bill dealing with waste lands of the Crown must go to the Waste Lands Committee.

1888. Vol. 60, p. 77.—Otago Central Railway Bill. O'Rorke.

Bill dealing with waste lands of the Crown, not having been reported on by the Waste Lands Committee, is not allowed to proceed.

1868. Vol. 4, p. 212.—Otago Settlement Bill. Monro.

Bill correcting surveys of blocks ordered to be referred to the Waste Lands Committee.

1868. Vol. 4, p. 163.—Otago Surveys Correction Bill. Monro.

Waste Lands Committee cannot insert an appropriation clause in a Land Bill.

1877. Vol. 25, p. 544.—Land Bill. Fitzherbert.

An amendment can be moved in a Bill dealing with waste lands of the Crown, although such amendment has not previously been before the Waste Lands Committee.

1870. Vol. 9, p. 163.—Otago Hundreds Bill. Monro.

A State Forests Bill, not being brought in for the sale, letting, or disposal of waste lands in the ordinary sense of land measures, need not be sent to the Waste Lands Committee; but a member may move that it be so sent.

1885. Vol. 51, p. 449.—New Zealand State Forests. O'Rorke.

Crown Lands—continued.

Bill imposing taxation or appropriating any of the public estate, not having been initiated in Committee of the Whole, is discharged.

1876. Vol. 20, p. 421.—Stamp Bill. Fitzherbert.

1876. Vol. 21, p. 578.—Otago Museum Bill. Fitzherbert.

DEBATE.

Debate is closed after the “Ayes” and “Noes” have been called for. It is not necessary for the Speaker to have declared which pre-dominate.

1877. Vol. 27, p. 21.—Want of Confidence. Fitzherbert.

On Bills.

Member introducing a Bill may explain it, but there should be no debate until the second reading.

1876. Vol. 21, p. 261.—Native Lands Sales Bill. Fitzherbert.

No debate on the first reading.

1887. Vol. 58, p. 487.—Land Bill. O'Rorke.

Member moving second reading of a Bill is entitled to a reply.

1873. Vol. 15, p. 1232.—Ministerial Statement. Bell.

No debate should take place on the question

Debate—continued.

of fixing the time for going into Committee on a Bill.

1886. Vol. 54, p. 543.—Government Loans to Local Bodies Bill. O'Rorke.

1886. Vol. 55, p. 53.—Midland Railway. O'Rorke.

Question "That this Bill be committed presently" should not be discussed; but on the question "That I do now leave the chair," &c., the debate on the whole Bill can be reopened.

1888. Vol. 60, p. 620. — Customs Duties Bill. O'Rorke.

Proceedings in Committee on a Bill are under review when the report is made.

1872. Vol. 13, p. 556.—Auckland University Bill. Bell.

The principle of a Bill must not be discussed on the title.

1880. Vol. 37, p. 631.—Beer Duty Bill. O'Rorke.

Merits of Question discussed.

Motion for the discharge of an order of the day opens up the whole merits of the question.

1877. Vol. 24, p. 376.—Native Land Court Bill. Fitzherbert.

Whole question can be debated on a motion to appoint a Committee to investigate, or for the production of papers.

1868. Vol. 2, p. 548.—Colonial and Provincial Government Accounts. Monro.

Debate—continued.

On motion for the production of papers the merits of the case can be discussed.

1881. Vol. 38, p. 360.—H. W. Farnall. O'Rorke.

Financial Discussions.

Debate on motion for a money-grant should not be entered on until the House goes into Committee of the Whole.

1867. Vol. 1, p. 471.—Pensions and Gratuities. Monro.

1867. Vol. 1, p. 881.—Resident Magistrate, Leeston. Monro.

1884. Vol. 49, p. 60.—House Accommodation for Railway Workmen. O'Rorke.

If motion for return is made the basis of a financial discussion it should be taken in Committee of the Whole.

1869. Vol. 5, p. 83.—Defence Expenditure. Monro.

In discussing large financial questions it is usual to allow latitude.

1881. Vol. 40, p. 699.—Public Revenues Bill. O'Rorke.

Amendments.

Member can speak to every *bond fide* amendment as well as to the original question, but an amendment to substitute "inquire into" for

Debate—continued.

“investigate and report” is a sham amendment, and an evasion of the rule.

1868. Vol. 2, p. 547.—Colonial and Provincial Government Accounts. Monro.

Member who speaks to an amendment forfeits his right of reply.

1879. Vol. 32, p. 265.—Qualification of Electors Bill. O'Rorke.

Member cannot make a second speech on his amendment in asking leave to withdraw it.

1888. Vol. 62, p. 56.—Supply. O'Rorke.

Complicated Questions.

When a complicated question or series of resolutions is discussed generally, no debate takes place when separate parts or resolutions are put.

1876. Vol. 21, p. 377.—Separation. Fitzherbert.

Pecuniary Interest.

Member pecuniarily interested in a matter may make a motion with regard to it or speak upon it, but must not vote.

1888. Vol. 63, p. 144.—Wellington-Manawatu Railway Company. O'Rorke.

Interruptions and Imputations.

Members must not interrupt other members when speaking.

1867. Vol. 1, p. 241.—Local Government Bill. Monro.

Debate—continued.

Imputations of neglect of duty on the part of other members should not be made.

1867. Vol. 1, p. 1096.—Marine Bill. Monro.

Personal Explanation.

Personal explanation should not be followed by a debate.

1870. Vol. 9, p. 530.—Immigration and Public Works Loan Bill. Monro.

Previous Debates.

Member cannot refer to a resolution of the House, and call it a "transaction," in order to evade the rule of not referring to a previous debate.

1886. Vol. 55, pp. 519, 520.—Workmen's Wages Bill. O'Rorke.

In discussing a resolution on immigration it would not be in order to refer to speeches previously delivered on the second reading of the Immigrants Land Bill.

1873. Vol. 15, p. 1187.—Immigrants Land Bill. Bell.

Member must not bring vote or proceeding into contempt except by specific motion for repeal.

1867. Vol. 1, p. 380.—Confiscated Land. Monro.

Reading Extracts.

Quoting *Hansard* report of a speech delivered during the same session is not regular; but it is

Debate—continued.

competent to refer to a previous speech in the same debate or in a previous stage of a Bill.

1867. Vol. 1, p. 888.—Surplus Revenue Bill.
Monro.

Reading from a printed report of a speech made during the session is not allowed. Notes of speeches made by members can be used.

1881. Vol. 38, p. 632.—Crown and Native Lands Rating Bill. O'Rorke.

Neither Minister nor other member should quote from a paper unless he is prepared to lay it on the table.

1875. Vol. 18, p. 16.—Personal Explanation. Bell.
1884. Vol. 48, p. 145.—Union Steamship Company.
O'Rorke.

It is not competent to a member to read an opinion of the Law Officers of the Crown.

1873. Vol. 14, p. 185.—Disqualification of Members of the Legislative Council. Bell.

A Minister need not lay the opinion of the Law Advisers of the Crown on the table, because such opinion is confidential.

1875. Vol. 18, p. 16.—Personal Explanation. Bell.

Reading extracts from a hustings address is allowed.

1867. Vol. 1, p. 76.—Delegation of Powers to Superintendents. Monro.

Debate—continued.

It is out of order to read extracts from newspapers relating to matters under debate.

1882. Vol. 43, p. 207.—North Island Main Trunk Railway Loan Bill. O'Rorke.

A letter which furnishes information on matters of fact may be read, but one commenting on the proceedings of the House cannot be read.

1888. Vol. 62, p. 536.—Building Societies' Fees. O'Rorke.

Anonymous letters cannot be read to support charges against a member.

1877. Vol. 26, p. 335.—H. H. Lusk. Fitzherbert.

Document read, and name of author, must be given up.

1879. Vol. 31, p. 392.—Judges and Mr. Barton. O'Rorke.

Disclaimers.

If a member disclaims a statement the disclaimer must be accepted, for statements are made on honour, and are not to be challenged on the score of veracity, either in the House or out of it.

1881. Vol. 39, p. 100.—Crown and Native Lands Rating Bill. O'Rorke.

Statements made Outside.

No statement made outside relative to any-

Debate—continued.

thing said in the House can be referred to in debate.

1868. Vol. 3, p. 447.—Publichouses in Disturbed Districts Bill. Monro.

1870. Vol. 8, p. 104.—Government Agent, Auckland. Monro.

Admissible Language.

“Gratuitous slander and vituperation hurled at the heads of the Colonial Force” is not irregular if the member saying it is convinced that he is expressing what occurred.

1869. Vol. 6, pp. 939, 945, 946, 949.—Appropriation Bill. Monro.

Disorderly Language.

Words ordered to be taken down must be taken down at once, and not afterwards.

1876. Vol. 21, p. 420, &c.—Canterbury Pastoral Leasing Bill. Fitzherbert.

When words are taken down they must be explained or retracted and apologized for.

1883. Vol. 46, p. 572.—Supply. O'Rorke.

“When the House appears to disapprove of the language held by a member in debate it is the duty of the Speaker in the first instance to declare his opinion whether the language complained of is disorderly. . . . Of course the opinion of the Speaker will have consider-

Debate—continued.

able weight, but if the House does not acquiesce it is perfectly competent to it to overrule that opinion."

1867. Vol. 1, p. 823.—Privilege. *Monro*.

Words taken down can be considered "at present or at a future time. A distinct motion will have to be made with regard to them, and submitted to the House for its consideration." The member using the words will be called on to withdraw while the House is considering the words.

1867. Vol. 1, p. 788.—Financial Policy. *Monro*.

Member refusing to withdraw offensive words is named, and, if he persist, will not be heard, and must withdraw from the chamber while the House deliberates on his conduct.

1887. Vol. 58, pp. 379, 380.—Sir J. Vogel's Attendants. *O'Rorke*.

"Naming" a member does not carry the censure of the House, as he has further opportunity of explaining, and then the House deals with the case.

1887. Vol. 58, p. 399.—Words used by Sir J. Vogel. *O'Rorke*.

If a member threatens to "stonewall," the Speaker will call him to order.

1888. Vol. 62, p. 603.—Native Bills. *O'Rorke*.

Debate—continued.

Adjournment of Debate.

Motion for adjournment of debate is not an amendment.

1888. Vol. 60, p. 615.—Midland Railway. O'Rorke.

Motion for adjournment of debate involves two questions—adjournment of debate and time for resumption.

1867. Vol. 1, p. 11.—Address in Reply. Monro.

Adjournment of debate cannot be moved to a day on which the House does not sit.

1877. Vol. 26, p. 188.—Disqualification. Fitzherbert.

Member who has already spoken cannot move adjournment of debate.

1869. Vol. 6, p. 436.—Timaru and Gladstone Board of Works Bill. Monro.

1879. Vol. 34, p. 661.—New Zealand Constitution Bill. O'Rorke.

Member who has already spoken is permitted to second motion for adjournment, but not to speak to it.

1867. Vol. 1, p. 47.—Address in Reply. Monro (quoting "Burke's Debates").

"You cannot discuss the merits of the Bill in moving the adjournment of the debate; and if you fail to obtain an adjournment when you

Debate—continued.

move it you will lose your right to speak again.”

1886. Vol. 56, p. 658.—District Railways Bill.
O'Rorke.

1888. Vol. 60, p. 255.—District Railways Bill.
O'Rorke.

Mover of adjournment of debate has a right to speak first on resumption.

1868. Vol. 2, p. 117.—Road Districts Bill. Monro.

If a member persists in speaking on the main question when moving adjournment of debate, the Speaker will not put the question of adjournment on his motion.

1888. Vol. 61, pp. 406, 407.—Supply. O'Rorke.

Mover and seconder of adjournment of debate cannot speak on main question if motion for adjournment is negatived.

1877. Vol. 24, pp. 151, 152.—Charitable Institutions Bill. Fitzherbert.

Member who has moved adjournment of debate cannot do so again unless other motions intervene. Motions with regard to other Bills held to be intervening motions.

1885. Vol. 52, p. 36.—Hospitals and Charitable Institutions Bill. O'Rorke.

When motion for adjournment of debate is for such a period as practically to mean rejection of the matter under discussion, the Speaker

Debate—continued.

allows the matter to be fully discussed, lest it should be disposed of altogether without fair discussion.

1887. Vol. 58, p. 576. — Coal Import Duty. O'Rorke.

5.30 p.m. to 7.30 p.m. Recess.

When the hour of 5.30 p.m. comes Speaker adjourns the debate on a motion, although the House may have decided on division that the debate shall not be adjourned.

“ In a case which occurred in 1861 the Speaker of the House of Commons ruled that the Standing Order was more imperative than a division of the House. The House had by a division declared that a certain debate should not be adjourned, but when the hour came on the Speaker adjourned the debate, notwithstanding the House had declared it should not be adjourned. That power, however, is confined to days on which motions have precedence of Orders of the Day.”

1878. Vol. 29, p. 623. — Beer Duty Bill. Fitzherbert.

When a special order has been made for taking business at 7.30 p.m., the debate interrupted at 5.30 continues interrupted until the 7.30 business is disposed of.

1888. Vol. 60, p. 629. — Midland Railway. O'Rorke.

Debate—continued.

Adjournment of the House.

It is irregular to move the adjournment of the House to enable another member to speak.

1869. Vol. 6, p. 279.—Advances and Payments.
Monro.

Mover of adjournment of the House has right of reply.

1876. Vol. 23, p. 34.—Abolition Act. Fitzherbert.

To save a matter from being disposed of by the adjournment of the House, it is in order to refer to the merits of the matter, but the member speaking has not the same latitude as if nothing but question of adjournment were before the House.

1884. Vol. 50, p. 545.—Annexation and Federation.
O'Rorke.

On motion for the adjournment of the House it is not in order to discuss a motion set down for a subsequent day.

1884. Vol. 48, p. 221.—Civil Service. O'Rorke.

In moving adjournment of the House matters on the Order Paper must not be discussed.

1879. Vol. 32, p. 256.—Public Revenues Bill.
O'Rorke.

Proceedings in Committee on a Bill cannot be discussed on motion for adjournment of the

Debate—continued.

House, made after progress reported and leave given to sit again.

1887. Vol. 59, pp. 544, 545.—Land Bill. O'Rorke.

Adjournment of the House cannot be moved while motion for adjournment of a debate is being discussed.

1887. Vol. 59, p. 79. — Governor's Salary Bill.
O'Rorke.

DISORDERLY CONDUCT.

[See also "Words taken down."]

Punishable with censure and fine of £50, which must be paid to the Clerk before the member can retake his seat.

1881. Vol. 40, p. 244. — Representation Bill.
O'Rorke.

In Committee is reported to the Speaker, because House alone can inflict penalty.

1881. Vol. 40, p. 233. — Representation Bill.
O'Rorke.

DIVISIONS.

Members appointed tellers must act.

1868. Vol. 3, pp. 214, 215.—Supply. Monro.

Members should retire at once into lobbies when division is ordered.

1885. Vol. 52, p. 181.—Hours of Polling Bill.
O'Rorke.

Divisions—continued.

Members pecuniarily interested in a matter should not vote on it.

1888. Vol. 63, p. 144.—Wellington-Manawatu Railway Company. O'Rorke.

If the interest of a member in a question is such that it cannot be separated from the interest of the public, his vote is not affected by it.

1876. Vol. 22, pp. 254, 283.—Disqualification. Fitzherbert.

1876. Vol. 23, p. 526.—Financial Arrangements Bill. Fitzherbert.

Votes of members interested should be challenged at once, and not at a future time.

1885. Vol. 53, p. 805.—District Railways Purchasing Bill. O'Rorke.

Member is bound by the vote actually given, without regard to his intention.

1876. Vol. 23, p. 526.—Financial Arrangements Bill. Fitzherbert.

1887. Vol. 57, p. 228.—Electoral Bill. O'Rorke.

If the name of a member who did not vote appears in a division-list, the list is corrected in the Journals.

1887. Vol. 58, p. 295.—Education. O'Rorke.

The House does not take "pairs" into consideration.

1887. Vol. 59, p. 1003.—Australasian Naval Defence Bill. O'Rorke.

Divisions—continued.

Vote follows the voice, but not necessarily a speech. “I know of no rule preventing an honourable member from speaking on one side and voting on the other.”

1876. Vol. 21, p. 379.—Separation. Fitzherbert.

Member moving an amendment can vote against it if he is convinced by argument that the original motion was better.

1888. Vol. 62, p. 198.—Supply. O'Rorke.

ELECTION OF MEMBERS.

Member elected for two districts must determine for which he will sit within seven days of the time during which petitions against his election can be received.

1876. Vol. 20, p. 440.—Thames Election. Fitzherbert.

Matters affecting elections are privilege;

1879. Vol. 32, p. 302.—Northern Maori Election. O'Rorke.

but not entitled to precedence over Orders of the Day.

1879. Vol. 32, pp. 314, 386.—Northern Maori Election. O'Rorke.

If an error is made in the name of a member returned, the House can order it to be corrected

Election of Members—continued.

on a member testifying to the identity of the person returned.

1882. Vol. 41, p. 6.—Moeraki Election. O'Rorke.

A person duly elected has all the privileges of a member except sitting and voting, which he cannot do until he has taken the oath.

1887. Vol. 59, p. 359.—Mr. Brown. O'Rorke.

EVIDENCE IN SUPREME COURT.

Petition and evidence being required in Supreme Court, proper course is to move that an officer of the House attend with them.

1880. Vol. 37, p. 212.—Claim of D. Climie. O'Rorke.

GOVERNOR.

When the Governor acts entirely of his own free will, as representative of the Sovereign, his action may legitimately become the subject of discussion in the House; as, for example, if he refuses to grant a dissolution. "But when the Governor performs an executive act by the advice of his Ministers, it is his Ministers alone who are responsible to this House, and it is their act, and not the Governor's, which may be questioned here."

1875. Vol. 17, p. 155.—Supply. Bell.

Governor—continued.

Governor must not be referred to directly.

1876. Vol. 23, p. 108.—Abolition. Fitzherbert.

If papers emanating from the Governor are laid on the table the writer can be referred to.

1876. Vol. 23, p. 289.—Abolition. Fitzherbert.

Governor's speeches to Parliament are, by the Standing Orders, translated into Maori.

1867. Vol. 1, p. 49.—Petition of Arawas. Monro.

A letter from a Civil servant commenting on words used in the House having been laid on the table by command, the conduct of the writer, of the Governor, and of the Government is involved. In such case it is usual to appoint a Select Committee to inquire, and the House suspends judgment until the Committee has reported.

1888. Vol. 62, p. 35.—Chief Judge of Native Land Court. O'Rorke.

Amendments by the Governor can be amended by the House.

1870. Vol. 9, p. 701.—Immigration and Public Works Loan Bill. Monro.

Appropriation Bill remains in custody of the Speaker, and the Government cannot send amendment by message from the Governor after Bill has passed.

1878. Vol. 30, p. 1296.—Immigration and Public Works Appropriation Bill. Fitzherbert.

~~Governor—continued.~~

Papers presented by the Governor are presented with the advice of Ministers.

1873. Vol. 15, p. 1182. — Immigrants Land Bill.
Bell.

"HANSARD" REPORTS.

Quoting *Hansard* report of a speech delivered during the same session is not regular; but it is competent to refer to a previous speech in the same debate or in a previous stage of a Bill.

1867. Vol. 1, p. 888. — Surplus Revenue Bill.
Monro.

Reading from a printed report of a speech made during the session is not allowed. Notes of speeches made by members can be used.

1881. Vol. 38, p. 632.—Crown and Native Lands Rating Bill. O'Rorke.

Petitions read by the Clerk or members should not appear in *Hansard*.

1883. Vol. 45, p. 112.—Privilege. O'Rorke.

IMPREST SUPPLY BILLS.

It is usual to put them through all stages at one sitting if Minister says it is a matter of urgency.

1877. Vol. 24, pp. 537, 538.—Imprest Supply Bill.
Fitzherbert.

IMPUTATIONS.

Of neglect of duty by other members should not be made.

1867. Vol. 1, p. 1096.—Marine Bill. Monro.

INTERRUPTIONS.

Members must not interrupt other members when speaking.

1867. Vol. 1, p. 241.—Local Government Bill. Monro.

JOURNALS.

House must be informed of a material correction in the Journals.

1875. Vol. 17, p. 364.—Abolition of Provinces Bill. Bell.

When a Committee is appointed to search the Journals of the Legislative Council the Clerk of that House should wait on the Committee. (N. B.—A Committee of the Legislative Council asserts the right of that body to appoint the time and place of search.)

1881. Vol. 40, p. 827.—Pensions Bill. O'Rorke.

JUDGES, CHARGES AGAINST.

House of Representatives is the proper tribunal to hear charges against a Judge.

1874. Vol. 16, p. 112.—Charges against Judge Chapman. Bell.

Judges, Charges against—continued.

Petitions praying for investigation into the conduct of Judges are referred to the Public Petitions Committee, as other petitions.

1877. Vol. 24, p. 491.—G. E. Barton. Fitzherbert.

Before consenting to a parliamentary inquiry into the conduct of a Judge, Ministers should themselves investigate the matter.

1878. Vol. 30, p. 1242.—Judges and Mr. G. E. Barton. Fitzherbert.

Resolutions impugning the conduct of Judges can be moved as an amendment to the motion for going into Supply.

1879. Vol. 31, p. 390.—Judges and Mr. G. E. Barton. O'Rorke.

Speaker will, as far as possible, prevent personal attacks by members on the Judges.

1887. Vol. 57, p. 68.—T. Hall. O'Rorke.

LAND-GRANTS.

See "Crown Lands," or "Waste Lands."

LAW OFFICERS OF THE CROWN.

It is not competent to a member to read an opinion of the Law Officers.

1873. Vol. 14, p. 185.—Disqualification of Members of the Legislative Council. Bell.

Law Officers of the Crown—continued.

A Minister need not lay the opinion of the Law Advisers of the Crown on the table, because such opinion is confidential.

1875. Vol. 18, p. 16.—Personal Explanation.
Bell.

Neither House nor Select Committee can order the official opinion of the Law Officers to be produced.

1875. Vol. 19, p. 94.—Wanganui Industrial School.
Bell.

LEGISLATIVE COUNCIL.

Must not be referred to directly.

1876. Vol. 23, p. 108.—Abolition. Fitzherbert.

Members must not impute motives to the votes given in the Legislative Council.

1874. Vol. 16, p. 974.—Constitution of the Legislative Council. Bell.

If the Legislative Council desires papers, &c., from the House of Representatives a message should be sent.

1870. Vol. 9, p. 457.—Case of Henare Matua.
Monro.

When a Committee is appointed to search the Journals of the Legislative Council the Clerk of that House should wait on the Committee.
(N. B.—A Committee of the Legislative Council

Legislative Council—continued.

asserts the right of that body to appoint the time and place of search.)

1881. Vol. 40, p. 827.—Pensions Bill. O'Rorke.

Amendments, General.

Amendments by the Legislative Council should be considered seriatim.

1869. Vol. 6, p. 484.—Disturbed Districts Bill. Monro.

Having been disagreed to, and message to that effect sent to the Legislative Council, further action rests with the Legislative Council.

1870. Vol. 9, p. 693.—George Green Land Claim Bill. Monro.

Can be amended by the House of Representatives, but no new matter introduced except in case of a money-vote being required.

1870. Vol. 9, p. 644.—Provincial Ordinances Validation Bill. Monro.

Amendments inadmissible.

An amendment to an amendment by the Legislative Council which would alter the substance of what both Houses agreed to, cannot be made.

1872. Vol. 13, p. 766.—Highway Boards Empowering Bill. Bell.

Legislative Council cannot amend resolutions sent to it for concurrence.

1869. Vol. 6, p. 668.—Internal Defence. Monro.

Legislative Council—continued.

Amendments by the Legislative Council increasing the appropriations made by the House of Representatives are beyond the proper functions of the Legislative Council ;

1871. Vol. 11, pp. 527, 557, 558.—Diseased Cattle Bill. Bell.

or expunging appropriation clauses ;

1871. Vol. 11, pp. 920, 921, 922, 1055.—Payment of Provinces Bill. Bell.

or attaching conditions or limitations to the expenditure of money ;

1885. Vol. 53, pp. 945, 950.—District Railways Bill. O'Rorke.

or inserting a taxing clause in a Bill ;

1882. Vol. 43, pp. 970, 986.—District Railways Bill. O'Rorke.

or striking a clause out of a money Bill ;
and Speaker would consent to such Bill being placed in the Appropriation Bill ;

1881. Vol. 40, p. 706.—Pensions Bill. O'Rorke.

or transferring a charge on Land Fund to gold revenue, when the Bill is laid aside and another introduced if the House wishes to give effect to the suggestion of the Legislative Council ;

1875. Vol. 19, pp. 259, 308, 309.—Goldfields Bill. Bell.

Legislative Council—continued.

or amending a rating clause of a Bill, though not a money Bill; but the Bill need not be laid aside.

1886. Vol. 56, pp. 532, 562. — Harbours Bill. O'Rorke.

Sometimes the only reason given by the House for disagreeing with amendments by the Lords is that they infringe the privileges of the House.

1881. Vol. 40, p. 459.—Pensions Bill. O'Rorke.

Amendments admissible.

Amendments by the Legislative Council imposing penalties to protect the revenue or punish offenders are permitted;

1872. Vol. 13, p. 292.—Drawbacks Bill. Bell.

or imposing fees for service rendered under a Bill.

1888. Vol. 60, p. 85.—Coroners Bill. O'Rorke.

When an amendment by the Legislative Council does not affect the privileges of the House so much as to necessitate raising a question of privilege, it is agreed to, and a special entry made in the Journals.

1886. Vol. 56, p. 738.—Property Assessment Bill. O'Rorke.

If the Legislative Council amend their original amendments to a money clause in a Bill so as to

Legislative Council—continued.

concur in the desire of the House, the House will agree to such amendment, and an entry to that effect will be made in the Journals, with a note as follows: "But the House of Representatives cannot waive the question of constitutional privilege raised in the reasons advanced by them for disagreeing to the original amendments of the Council."

1871. Vol. 11, p. 857.—Diseased Cattle Bill. Bell.
(Resolution of the House.)

LOCAL BILLS.

A Bill introduced by the Government is not exempt from the Standing Orders relating to local Bills.

1888. Vol. 60, p. 350. — River Boards Bill.
O'Rorke.

A Bill which relates to more than one locality is a public and not a local Bill.

1888. Vol. 62, p. 118.—Hospitals and Charitable Institutions Bill. O'Rorke.

Local Acts are liable to be dealt with by a measure of State policy.

1885. Vol. 51, p. 446.—New Zealand State Forests.
O'Rorke.

House is not bound by notices with reference to local Bills, and is omnipotent in regard to them.

1886. Vol. 55, p. 189.—North Timaru Cemetery Reserve Bill. O'Rorke.

Local Bills—continued.

If after the second reading the House comes to the conclusion that a Bill is a local Bill, the order for the second reading is rescinded, and proceedings commence *de novo*.

1888. Vol. 62, p. 122.—Hospitals and Charitable Institutions Bill. O'Rorke.

In the session of 1888 the following Standing Orders were adopted :—

JOINT COMMITTEE ON BILLS.

1. There shall be a Joint Committee appointed at the commencement of each session, consisting of five members of the Legislative Council and five members of the House of Representatives, to which any Bill may be referred by the Speaker of either House during its progress. The Committee shall inquire into the character of the Bill so referred, as to whether it is a public, local, or private Bill, and report their opinion thereon to both Houses.

LOCAL BILLS.

2. In the event of there being two sessions in any year, the notices, advertisements, and deposits issued and made in compliance with the Standing Orders with regard to local Bills initiated in the first session of the said year shall be and be deemed to be a compliance with the Standing Orders for the second session of the said year, and to be effectual accordingly.

MAORI TRANSLATION OF BILLS, ETC.

Governor's speeches, and Bills specially affecting Maoris, are translated under the Standing Orders; other papers by the order of the House.

1867. Vol. 1, p. 49.—Petition of Arawas. Monro.

MONEY GRANTS AND MONEY BILLS.

Appropriation Bill.

Annual Appropriation Bill is not sent down by the Governor, but is prepared by the Treasurer when Supply is closed.

1875. Vol. 17, p. 366.—Abolition of Provinces Bill. Bell.

Annual Appropriation Bill remains in the custody of the Speaker, and the Government cannot send down an amendment by message after it has passed.

1878. Vol. 30, p. 1296.—Immigration and Public Works Appropriation Bill. Fitzherbert.

Consent of the Crown.

Motions for grants of money cannot be considered unless first recommended by the Crown.

1867. Vol. 1, pp. 1026, 1027.—Case of Gilbert and Deery. Monro.

Etc.

Money Grants and Money Bills—continued.

Private members cannot bring in Bills dealing with public money without the consent of the Crown.

1879. Vol. 32, p. 610.—Payment of Members.
O'Rorke.

Etc.

Recommendation of the Crown is conveyed by a Minister.

1873. Vol. 15, p. 1284.—Civil List Bill. Bell.

House may pass an address to the Crown for a grant of money, but Government is not obliged to act upon it.

1873. Vol. 15, p. 1284.—Civil List Bill. Bell.

Motion, "That this House considers that the enormous cost of paying Civil servants and high railway officials for holidays ought not to be considered to press lighter on the taxpayers than the payment of wages for holidays to the low-paid railway-labourers," could not be put, as trenching on the rule that the consent of the Crown must be given to the appropriation of money.

1884. Vol. 48, p. 207.—Government Officers' Holidays. O'Rorke.

Bill to issue (four million) notes as legal tender, payable on demand by the Government,

Money Grants and Money Bills—continued.

cannot be introduced by a private member even with the consent of the Government.

1886. Vol. 55, p. 548.—New Zealand Note Currency Bill. O'Rorke.

Government alone can initiate measures for the appropriation of public funds. Abstract resolutions that money be devoted to a particular purpose—for instance, to construct harbours of refuge at a cost of two millions and a half—can be passed, but when not supported by the Executive Government are futile.

1873. Vol. 14, p. 165.—Mikonui Water-race. Bell.

Bill repealing former appropriation does not require the recommendation of the Crown.

1872. Vol. 13, p. 497.—Auckland University Bill. Bell.

When a provincial ordinance makes reservation of public estate a Bill amending it is not fresh appropriation.

1877. Vol. 25, p. 153.—New Plymouth Harbour Board Bill. Fitzherbert.

Bill of a private member dealing with public money cannot be proceeded with, and must be discharged.

1874. Vol. 16, p. 454.—Highway Boards Bill. Bell.

Motion by a private member for leave to introduce a Bill to repeal the Property Assess-

Money Grants and Money Bills—continued.

ment Act would be in order, but not if accompanied by a proposition to substitute a land-tax.

1884. Vol. 48, p. 68.—Property Assessment Act Repeal Bill. O'Rorke.

Resolution that the Government advertise for tenders for a San Francisco mail-service within £20,000 is an abstract resolution not requiring the consent of the Crown.

1869. Vol. 6, p. 686.—Supply. Monro.

A private member cannot, without the consent of the Crown, move an amendment to the second reading of a Bill that the exemption under the property-tax be reduced from £500 to £300.

1880. Vol. 37, pp. 561, 562.—Property Assessment Bill. O'Rorke.

No diversion of sums in the schedule of a Loan Bill which are appropriated to specific purposes can be effected without the recommendation of the Crown.

1882. Vol. 43, p. 862.—New Zealand Loan Bill. O'Rorke.

It is not competent for the House to vote sums in excess of those in the schedule of a Bill without the recommendation of the Crown.

1870. Vol. 9, p. 532.—Defence Loan Bill. Monro.

Money Grants and Money Bills—continued.*Initiation.*

When appropriation is the chief object of a Bill the appropriation must be considered in the first instance.

1870. Vol. 8, p. 381.—University Bill. Monro.

When appropriation is a mere incident of a Bill the Bill is read a second time, and then the appropriation is considered in Committee of the Whole.

1875. Vol. 17, pp. 365, &c., 706.—Abolition of Provinces Bill. Bell.

Bills guaranteeing payment of dividends and interest must be initiated in Committee.

1868. Vol. 2, p. 154.—Dunedin Waterworks Bill. Monro.

Harbour Board Bills must be introduced in Committee of the Whole.

1876. Vol. 21, p. 530.—Harbour Board Bills. Fitzherbert.

Debate on motion for a money grant should not be entered on until the House goes into Committee of the Whole.

1867. Vol. 1, p. 471.—Pensions and Gratuities. Monro.

1867. Vol. 1, p. 881.—Resident Magistrate, Leeston. Monro.

1884. Vol. 49, p. 60.—House Accommodation for Railway Workmen. O'Rorke.

Money Grants and Money Bills—continued.

On motion for leave to introduce a Customs Tariff Bill a member not in charge of the Bill may move that items of exemption agreed to by Committee of Ways and Means be inserted.

1867. Vol. 1, p. 1211. — Customs Tariff Bill.
Monro.

If an address for a certain amount of money is referred to a Committee of the Whole, the Committee cannot increase it. Therefore, if the House desire to increase a vote, it would be necessary for some member to move to that effect before the question is referred to the Committee.

1882. Vol. 41, p. 604. — Technical Education.
O'Rorke.

Bill imposing taxation or appropriating any of the public estate, not having been initiated in Committee of the Whole, is discharged.

1876. Vol. 20, p. 421. — Stamp Bill. Fitzherbert.

1876. Vol. 21, p. 578. — Otago Museum Bill. Fitzherbert.

If a money Bill is introduced not in Committee of the Whole, the proceedings are annulled, and the Bill is reintroduced in Committee.

1888. Vol. 60, p. 107. — New Zealand Loan Bill.
O'Rorke.

Bill to release payments due to the Crown not having been introduced in Committee of the

Money Grants and Money Bills—continued.

Whole, held that the member in charge might substitute motion to go into Committee to get leave to introduce the Bill for motion for second reading.

1869. Vol. 6, p. 786.—Crown Grants Bill. Monro.

Bills, Second Reading.

It is competent on the second reading of a Bill to move an abstract resolution that it is advisable to expend public money in a certain other way than that proposed by the Government.

1886. Vol. 56, p. 186.—New Zealand Loan Bill. O'Rorke.

Bill containing a clause which tends to increase fees is allowed to be read a second time, but the attention of the Chairman of Committees is called to it.

1879. Vol. 32, pp. 486, 497. — Licensing Bill. O'Rorke.

Bills, Committal.

If the duty imposed by a Bill is reduced in Committee it can be restored on recommitment.

1880. Vol. 57, p. 606.—Beer Duty Bill. O'Rorke.

Speaker will not arrest a Bill because a money clause is not printed in a particular type.

1888. Vol. 62, p. 274. — Native Land Bill. O'Rorke.

Money Grants and Money Bills—continued.

Clause diverting an appropriation made by a previous Act can be considered by the Committee on the Bill without going through the preliminary stages of an appropriation clause when the previous Act contemplated that such appropriation might be diverted.

1872. Vol. 13, p. 556.—Auckland University Bill. Bell.

If there is a taxing clause in a Bill, the Chairman of Committees will, if necessary, pass it over, and it will be referred to Committee of the Whole and remitted to the Committee on the Bill.

1888. Vol. 62, p. 271.—Native Land Bill. O'Rorke.

Amendments by Legislative Council.

Amendments by the Legislative Council increasing the appropriations made by the House of Representatives are beyond the proper functions of the Legislative Council ;

1871. Vol. 11, pp. 527, 557, 558.—Diseased Cattle Bill. Bell.

or expunging appropriation clauses ;

1871. Vol. 11, pp. 920, 921, 922, 1055.—Payment of Provinces Bill. Bell.

or attaching conditions or limitations to the expenditure of money ;

1885. Vol. 53, pp. 945, 950.—District Railways Purchasing Bill. O'Rorke.

Money Grants and Money Bills—continued.

or inserting a taxing clause in a Bill ;

1882. Vol. 43, pp. 970, 986.—District Railways Bill.
O'Rorke.

or striking a clause out of a money Bill ;
and Speaker would consent to such Bill
being placed in the Appropriation Bill ;

1881. Vol. 40, p. 706.—Pensions Bill. O'Rorke.

or transferring a charge on Land Fund to
gold revenue, when the Bill is laid aside and
another introduced if the House wishes to
give effect to the suggestion of the Legisla-
tive Council ;

1875. Vol. 19, pp. 259, 308, 309.—Goldfields Bill.
Bell.

or amending a rating clause of a Bill,
though not a money Bill ; but the Bill
need not be laid aside.

1886. Vol. 56, pp. 532, 562.—Harbours Bill.
O'Rorke.

Amendments by the Legislative Council to
protect the revenue or to punish offenders are
permitted ;

1872. Vol. 13, p. 292.—Drawbacks Bill. Bell.

or imposing fees for services rendered under
a Bill.

1888. Vol. 63, p. 85.—Coroners Bill. O'Rorke.

Money Grants and Money Bills—continued.

If the Legislative Council amend their original amendments to a money clause in a Bill so as to concur in the desire of the House, the House will agree to such amendment, and an entry to that effect will be made in the Journals, with a note as follows: "But the House of Representatives cannot waive the question of constitutional privilege raised in the reasons advanced by them for disagreeing to the original amendments of the Council."

1871. Vol. 11, p. 857.—Diseased Cattle Bill. Bell.
(Resolution of the House.)

MOTIONS.

[See also "Resolutions."]

Where the House has not given precedence to motions or Orders of the Day for a particular day, Orders of the Day are put first.

1869. Vol. 6, p. 643.—Order of Precedence. Monro.

Motion for printing a paper should be made when the paper is laid on the table, and not at a time when members might not be expecting that it would be brought forward.

1868. Vol. 3, p. 7.—Inspector Hunter's Case. Monro.

Notice of motion is not necessary in a case of breach of privilege.

1868. Vol. 2, p. 506.—Breach of Privilege. Monro.

Motions—continued.

Speaker will not allow anything to appear on the Order Paper which is calculated to bring the House into ridicule.

1881. Vol. 40, pp. 13, 40.—Privilege : Irregular Notices of Motion. O'Rorke.

When notice of motion is given a date should be fixed for taking it, so as to prevent the House being taken by surprise.

1884. Vol. 49, p. 71.—Public Debt. O'Rorke.

When a time is fixed for taking a motion it is irregular to discuss that motion before the time fixed.

1887. Vol. 58, p. 562.—Midland Railway. O'Rorke.

When a motion is made and seconded the Speaker states it to the House, and, if debate arises, puts it again to the House, when it is technically "put."

1867. Vol. 1, p. 619.—Governor's Salary. Monro.

Notice must be given of a motion to postpone the Orders of the Day in order to take want-of-confidence or other motion, unless the Government agree.

1877. Vol. 27, p. 101.—Want of Confidence. Fitzherbert.

On motion for the production of papers the merits of the case can be discussed.

1881. Vol. 38, p. 360.—H. W. Farnall. O'Rorke.

ORDERS OF THE DAY.

A Bill may be put at the top of the Orders of the Day, as a Bill "likely to go out of the House immediately."

1884. Vol. 48, p. 381.—Pensions Bill. O'Rorke.

If the House is counted out, Orders of the Day referred to Committee lapse and have to be revived.

1881. Vol. 40, p. 673.—Lapsed Business. O'Rorke.

Member moving an order of the day has right of reply.

1867. Vol. 1, p. 851.—Financial Policy. Monro.

An order of the day, whether complicated or not, can be discharged, but it is not killed until the Bill is withdrawn.

1877. Vol. 24, pp. 373, 376, 377.—Native Land Court Bill. Fitzherbert.

Motion for the discharge of an order of the day opens up the whole merits of the question.

1877. Vol. 24, p. 376.—Native Land Court Bill. Fitzherbert.

When House has not given precedence to motions or Orders of the Day for a particular day, Orders of the Day are taken first.

1869. Vol. 6, p. 643.—Order of Precedence. Monro.

Motion for adjournment of the House, on days on which motions have precedence, if de-

Orders of the Day—continued.

bated until 5.30 p.m., is superseded at 7.30 p.m. by Orders of the Day. If order called is for further consideration of a Bill in Committee, Speaker will at once leave the chair; therefore adjournment of the House cannot then be moved.

1881. Vol. 40, p. 209.—Order of Business. O'Rorke.

When Clerk is directed to call on the Orders of the Day, adjournment of the House cannot be moved until Order called on.

1887. Vol. 58, p. 562.—Midland Railway. O'Rorke.

Notice must be given of a motion to postpone the Orders of the Day in order to take want-of-confidence or other motion, unless the Government agree.

1877. Vol. 27, p. 101.—Want of Confidence. Fitzherbert.

PAPERS AND RETURNS.

On motion for the production of papers the merits of the case can be discussed.

1881. Vol. 38, p. 360.—H. W. Farnall. O'Rorke.

Papers laid on the table are the property of the House.

1869. Vol. 6, p. 124.—Petition of Robert Graham. Monro.
Etc.

Papers and Returns—continued.

A paper read out at the bar of the House is the property of the House, and is not given to the House as a matter of grace.

1877. Vol. 25, p. 292.—*Oamaru Mail*. Fitzherbert.

Papers presented by the Governor are presented with the advice of Ministers.

1873. Vol. 15, p. 1182.—Immigrants Land Bill. Bell.

Motion for printing a paper should be made when it is laid on the table, and not at a time when members might not be expecting that it would be brought forward.

1868. Vol. 3, p. 7.—Inspector Hunter's Case. Monro.

Returns must not be asked for in questions.

1880. Vol. 35, p. 478.—Railway Earnings, &c., Christchurch. O'Rorke.

The name of a person to whom facilities are alleged to have been given to obtain land cannot be asked for in a question, as it would be in the nature of a return.

1883. Vol. 46, p. 109.—Wairakau Natives. O'Rorke.

Neither Minister nor other member should quote from a paper unless he is prepared to lay it on the table.

1875. Vol. 18, p. 16.—Personal Explanation. Bell.

1884. Vol. 48, p. 145.—Union Steamship Company. O'Rorke.

Papers and Returns—continued.

A Minister need not lay the opinion of the Law Advisers of the Crown on the table, because such opinion is confidential.

1875. Vol. 18, p. 16.—Personal Explanation. Bell.

If papers are laid on the table, and a motion is made that they be withdrawn, Speaker takes charge of them until the motion is decided.

1879. Vol. 33, p. 242.—Telegrams for Electioneering Purposes. O'Rorke.

1879. Vol. 34, p. 682.—Telegrams for Electioneering Purposes. O'Rorke.

Speaker cannot give certified copies of papers without authority while the House is in session, but he can during the recess.

1885. Vol. 53, p. 88.—Mr. Taiaroa. O'Rorke.

If the Legislative Council desires papers, &c., a message should be sent by that body.

1870. Vol. 9, p. 457.—Case of Henare Matua. Monro.

Petition and evidence being required in the Supreme Court, the proper course is to move that an officer of the House attend with them.

1880. Vol. 37, p. 212.—Claim of D. Climie. O'Rorke.

PETITIONS.

No restriction can be placed on persons petitioning the House, provided it is done in a proper manner.

1883. Vol. 44, p. 7.—Railway Employés. O'Rorke.

Petitions—continued.

Time during which petitions can be presented cannot be limited.

1870. Vol. 9, p. 158.—Petitions. **Monro.**

Petition against a Bill should be presented when the order is called on, and not after the question is put.

1869. Vol. 6, p. 468.—Law Society's Bill. **Monro.**

Petition relating to a private Bill should be presented at the usual time for presenting petitions, and not when the House is considering the report of the Standing Orders Committee.

1867. Vol. 1, p. 505.—Dunedin Gas Company Bill. **Monro.**

There can be no debate on the presentation of a petition.

1867. Vol. 1, pp. 512, 513.—Convict Tricker. **Monro.**

Petition must be reported on by the Public Petitions Committee before it can be ordered to be printed.

1868. Vol. 2, p. 428.—Waikouaiti District Petitions. **Monro.**

May be referred to a special Committee.

1867. Vol. 1, p. 154.—Petition of Rev. F. C. Simmons. **Monro.**

Petitions—continued.

Petitions praying for investigation into the conduct of the Judges are referred to the Public Petitions Committee, as other petitions.

1877. Vol. 24, p. 491.—G. E. Barton. Fitzherbert.

Presenting a petition is a “proceeding” of the House, and a member professionally engaged for a petitioner should not present his client’s petition.

1877. Vol. 27, pp. 497, 498.—Privilege. Fitzherbert.

If a petition containing improper language is received, a motion should be made to withdraw it.

1881. Vol. 38, pp. 395, 396. — Heta Hamuera. O’Rorke.

Petitions presented to the House should not be referred to a Commission, or to any authority but the Government.

1881. Vol. 38, p. 296.—R. S. Thomson. O’Rorke.

An informal petition is returned to the House, and not to the member presenting it, so that the House may know what has become of it.

1881. Vol. 39, p. 582.—Petitions. O’Rorke.

Order for libellous petition to lie on the table is read and discharged, and the petition is withdrawn from the records.

1883. Vol. 45, p. 112.—Privilege. O’Rorke.

Petitions—continued.

Petitioners calling witnesses should bear the expense, but not in all cases.

1882. Vol. 42, p. 387.—Horomona Patu. O'Rorke.

Petitions read by the Clerk or members should not appear in *Hansard*.

1883. Vol. 45, p. 112.—Privilege. O'Rorke.

In the event of a dissolution, the House may order Committees to proceed with the consideration of petitions presented but not reported on in the previous session.

1884. Vol. 47, pp. 40, 41.—Petitions and Local Bills.
O'Rorke.

Correspondence should not be sent to the Public Petitions Committee when no petition is sent.

1867. Vol. 1, p. 1052.—Case of Colonel Lepper.
Monro.

PRIVATE BILLS.*Definition.*

Where the rights of private property are affected by a Bill it is a private Bill.

1868. Vol. 2, p. 221.—Canterbury Rivers Bill.
Monro.
Etc.

A Bill is a private Bill “if the public benefit is not the object primarily consulted, although the public may derive a large amount of benefit

Private Bills—continued.

from its operation, but the advantage of a limited portion of the community is the object primarily sought." "Every measure should be treated more or less as a private Bill, in carrying out the objects of which it is necessary to alienate or deal in a summary manner with private property."

1868. Vol. 4, p. 310.—Standing Orders. *Monro.*

Procedure.

A Bill which, technically speaking, is of a private nature is allowed to proceed, because "it was an amendment of an Act which was originally passed as a public one."

1868. Vol. 2, p. 483.—Bishop of New Zealand Trust Bill. *Monro.*

If there is any doubt as to the nature of a Bill, it is introduced and referred to the Standing Orders Committee.

1867. Vol. 1, p. 243.—Busby Claims Bill and Princes Street Reserve Bill. *Monro.*
Etc.

When a private Bill is read a second time it stands referred to the Committee of Selection, who nominate the Committee on the Bill, and in that Committee any amendment can be made before the Bill comes back to the House for its final stages.

1875. Vol. 17, p. 207.—Kaitangata Railway and Coal Company Bill. *Bell.*

Private Bills—continued.

Petition relating to a private Bill should be presented at the usual time for presenting petitions, and not when the House is considering the report of the Standing Orders Committee.

1867. Vol. 1, p. 505.—Dunedin Gas Company Bill. Monro.

Shareholders in a company interested in a private Bill should not vote on it.

1867. Vol. 1, p. 507.—Dunedin Gas Company Bill. Monro.

Reports of Joint Committee on Private Bills are open to revision by the House.

1878. Vol. 30, p. 996.—University of Otago Bill. Fitzherbert.

“ If the Committee report that the Standing Orders ought not to be dispensed with, their decision is generally acquiesced in by the promoters, and is fatal to the Bill ; but, in order to leave the question still open for consideration, the House agrees only to those reports which are favourable to the progress of Bills, and passes no opinion upon the unfavourable reports, which are merely ordered to lie on the table.

“ In some cases the decision of the Standing Orders Committee has been distinctly overruled by the House, either upon consideration of peti-

Private Bills—continued.

tions from the promoters or by a direct motion in the House not founded on any petition ; but, as the House has generally been disposed to support the Committee, attempts to reverse or disturb its decisions have rarely been successful."

1867. Vol. 1, p. 506.—Dunedin Gas Company Bill. Monro (quoting from May's "Parliamentary Practice").

By the Standing Orders certain duties are specially assigned to the Chairman of Committees ; but as regards the conduct of the business of the House, either public or private, the ultimate and sole responsibility rests with the Speaker.

1867. Vol. 1, p. 601.—Standing Orders on Private Bills. Monro.

Speakers of the Legislative Council and House of Representatives appoint taxing-officer.

1867. Vol. 1, p. 337.—Standing Orders on Private Bills. Monro.

In the session of 1888 the following Standing Orders were adopted :—

JOINT COMMITTEE ON BILLS.

1. There shall be a Joint Committee appointed at the commencement of each session, consisting of five members of the Legislative Council and five members of the House of

Private Bills—continued.

Representatives, to which any Bill may be referred by the Speaker of either House during its progress. The Committee shall inquire into the character of the Bill so referred, as to whether it is a public, local, or private Bill, and report their opinion thereon to both Houses.

PRIVATE BILLS.

3. In the event of there being two sessions in any year, the notices, advertisements, and deposits issued and made in compliance with the Standing Orders with regard to private Bills initiated in the first session of the said year shall be and be deemed to be a compliance with the Standing Orders for the second session of the said year, and to be effectual accordingly.

PRIVILEGE, BREACH OF.

Questions of privilege take precedence.

1869. Vol. 6, p. 715.—Privilege. *Monro*.

Notice of motion is not necessary in case of breach of privilege.

1868. Vol. 2, p. 506.—Breach of Privilege. *Monro*.

In order to entitle a question of privilege to precedence it must relate to some matter which has recently arisen.

1879. Vol. 32, p. 386.—Northern Maori District. *O'Rorke*.

Privilege, Breach of—continued.

Breach of privilege must be brought forward at once. If twenty-four hours or considerable time elapses notice must be given.

1879. Vol. 34, p. 896.—Property Assessment Bill. O'Rorke.

Matters affecting elections are privilege ;

1879. Vol. 32, p. 302.—Northern Maori Election. O'Rorke.

but are not entitled to precedence over Orders of the Day.

1879. Vol. 32, pp. 314, 386.—Northern Maori Election. O'Rorke.

Newspaper Articles.

Newspaper article : Member calls attention to it ; it is read by the Clerk ; a motion should be made that it is a breach of the privileges of the House. If that is affirmed the person responsible for the article is summoned to the bar of the House to give an explanation ; after the explanation the House determines what course should be pursued.

1867. Vol. 1, p. 930.—Privilege. Monro.

1868. Vol. 2, p. 506.—Breach of Privilege. Monro.
Etc.

House, not Speaker, decides whether words complained of are a breach of privilege.

1868. Vol. 2, p. 506.—Breach of Privilege. Monro.

1883. Vol. 46, p. 193.—Charges against Premier and Treasurer. O'Rorke.

Privilege, Breach of—continued.

Should not be noticed unless some motion is founded on it.

1868. Vol. 3, p. 19.—Dunedin Princes Street Reserves. *Monro.*

Miscellaneous.

Letter from the officers of the Defence Force protesting against epithets applied to them in the House could not be read or received.

1868. Vol. 3, pp. 371, 372.—Privilege. *Monro.*

It is not compulsory for a member to go further than to move that the action complained of is a breach of privilege.

1883. Vol. 46, p. 194.—Charges against the Premier and Treasurer. *O'Rorke.*

A letter from a Civil servant commenting on words used in the House having been laid on the table by command, the conduct of the writer, of the Governor, and of the Government is involved. In such case it is usual to appoint a Select Committee to inquire, and the House suspends judgment until the Committee has reported.

1888. Vol. 62, p. 35.—Chief Judge of Native Land Court. *O'Rorke.*

Committal of person to custody for breach of privilege terminates with prorogation of Parliament.

1888. Vol. 63, p. 37.—Mr. Larnach and *New Zealand Times.* *O'Rorke.*

Privilege, Breach of—continued.*Summoning to Bar.*

The act for which it is proposed to summon a person to the bar of the House must be declared a breach of privilege before the person can be summoned.

1872. Vol. 13, p. 162.—Case of J. Martin. Bell.

Counsel for a person summoned to the bar cannot argue the question whether a breach of privilege has been committed, but is heard in mitigation of punishment.

1872. Vol. 13, pp. 158, 161.—Case of J. Martin. Bell.

Person summoned to the bar is examined by the Speaker, and by members through the Speaker.

1872. Vol. 13, p. 161.—Privilege: Case of J. Martin. Bell.

It is a breach of the privileges of the House for a Select Committee to examine a member of the House of Representatives with regard to language used in the House.

1885. Vol. 53, p. 714.—Privileges of the House. O'Rorke.

Disorderly Conduct.

Disorderly conduct in Committee is reported to the Speaker because the House alone can inflict punishment—censure, and fine of £50,

Privilege, Breach of—continued.

which must be paid to the Clerk before the member can retake his seat.

1881. Vol. 40, pp. 233, 244.—Representation Bill, O'Rorke.

Words ordered to be taken down must be taken down at once, and not afterwards.

1876.—Vol. 21, p. 420, &c.—Canterbury Pastoral Leasing Bill. Fitzherbert.

When words are taken down they must be explained, or retracted and apologized for.

1883. Vol. 46, p. 572.—Supply. O'Rorke.

“When the House appears to disapprove of the language held by any member in debate, it is the duty of the Speaker in the first instance to declare his opinion whether the language complained of is disorderly. . . . Of course the opinion of the Speaker will have considerable weight, but if the House does not acquiesce it is perfectly competent to it to overrule that opinion.”

1867. Vol. 1, p. 823.—Privilege. *Monro*.

Words taken down can be considered “at present or at a future time. A distinct motion will have to be made with regard to them and submitted to the House for its consideration.” The member using the words will be called on

Privilege, Breach of—continued.

to withdraw while the House is considering the words.

1867. Vol. 1, p. 788.—Financial Policy. Monro.

Member refusing to withdraw offensive words is “named,” and if he persist will not be heard, and must withdraw from the chamber while the House deliberates on his conduct.

1887. Vol. 58, pp. 379, 380.—Sir Julius Vogel's Attendants. O'Rorke.

“Naming” a member does not carry the censure of the House, as he has further opportunity of explaining, and then the House deals with the case.

1887. Vol. 58, p. 399.—Words used by Sir Julius Vogel. O'Rorke.

Member ordered to withdraw from the chamber cannot remain in one of the galleries.

1880. Vol. 37, p. 738.—Disorder in Committee. O'Rorke.

Amendments by Legislative Council.

Amendments by the Legislative Council increasing the appropriations made by the House of Representatives are beyond the proper functions of the Legislative Council;

1871. Vol. 11, pp. 527, 557, 558.—Diseased Cattle Bill. Bell.

or expunging appropriation clauses ;

1871. Vol. 11, pp. 920, 921, 922, 1055.—Payment Provinces Bill. Bell.

Privilege, Breach of—continued.

or attaching conditions or limitations to the expenditure of money ;

1885. Vol. 53, pp. 945, 950.—District Railways Bill.
O'Rorke.

or inserting a taxing clause in a Bill ;

1882. Vol. 43, pp. 970, 986.—District Railways Bill.
O'Rorke.

or striking a clause out of a money Bill ;
and Speaker would consent to such Bill
being placed in the Appropriation Bill ;

1881. Vol. 40, p. 706.—Pensions Bill. O'Rorke.

or transferring a charge on Land Fund to
gold revenue, when the Bill is laid aside
and another introduced if the House wishes
to give effect to the suggestion of the Legis-
lative Council ;

1875. Vol. 19, pp. 259, 308, 309.—Goldfields Bill.
Bell.

or amending a rating clause of a Bill,
though not a money Bill ; but the Bill need
not be laid aside.

1886. Vol. 56, pp. 532, 562. — Harbours Bill.
O'Rorke.

If the Legislative Council amend their original
amendments to a money clause in a Bill so as to
concur in the desire of the House, the House will
agree to such amendment, and an entry to that

Privilege, Breach of—continued.

effect will be made in the Journals, with a note as follows: "But the House of Representatives cannot waive the question of constitutional privilege raised in the reasons advanced by them for disagreeing to the original amendments of the Council."

1871. Vol. 11, p. 857.—Diseased Cattle Bill. Bell.
(Resolution of the House.)

PRIVILEGES OF MEMBERS.

Summons to a member to appear in the Resident Magistrate's Court within the ten days' limit by law is null and void.

1871. Vol. 11, p. 647.—Privilege. Bell.

Member served with process of a Court of law requiring his personal attendance while he is attending his duties in Parliament can apply to the Speaker for exemption, and the case is postponed; but if he appears, personally or by counsel, the case goes on. Speaker inquires into circumstances of the case.

1872. Vol. 13, pp. 227, 248, 249, 252.—Privilege:
Case of Mr. J. E. Brown. Bell.

A person duly elected has all the privileges of a member except sitting and voting, which he cannot do until he has taken the oath.

1887. Vol. 59, p. 359.—Mr. Brown. O'Rorke.

Privileges of Members—continued.

House can declare a seat vacant for violation of the Disqualification Act or offence in electioneering proceedings, but can only expel a member for receiving a fee for promoting a Bill.

1877. Vol. 26, p. 341.—H. H. Lusk. Fitzherbert.

QUESTIONS TO MINISTERS, ETC.

Members may ask Ministers questions on matters of fact, not on matters of opinion.

1887. Vol. 57, p. 225.—Native Land on North Island Trunk Line. O'Rorke.

Questions without notice can only be asked by leave of the House, and Ministers need not answer them.

1876. Vol. 23, p. 18.—Abolition Act. Fitzherbert.

A question can only be put to a private member relating to any Bill, motion, or other public matter connected with the business of the House in which such member may be concerned.

1877. Vol. 25, p. 260.—*Oamaru Mail*. Fitzherbert.

1879. Vol. 31, p. 373.—Drainage. O'Rorke.

Returns must not be asked for in questions.

1880. Vol. 35, p. 478.—Railway Earnings, &c., Christchurch. O'Rorke.

The name of a person to whom facilities are alleged to have been given to obtain land

Questions to Ministers, &c.—continued.

cannot be asked for in a question, as it would be in the nature of a return.

1883. Vol. 46, p. 109.—Wairakau Natives. O'Rorke.

The subject of a question having been fully explained, a letter must not be read in addition.

1888. Vol. 61, p. 369.—Arahura River. O'Rorke.

READING EXTRACTS.

Quoting *Hansard* report of a speech delivered during the same session is not regular; but it is competent to refer to a previous speech in the same debate or in a previous stage of a Bill.

1867. Vol. 1, p. 888.—Surplus Revenue Bill. Monro.

Reading from the printed report of a speech made during the same session is not allowed. Notes of speeches made by members can be used.

1881. Vol. 38, p. 632.—Crown and Native Lands Rating Bill. O'Rorke.

Reading from a hustings address is allowed.

1867. Vol. 1, p. 76.—Delegation of Powers to Superintendents. Monro.

Anonymous letters cannot be read to support charges against a member.

1877. Vol. 26, p. 335.—H. H. Lusk. Fitzherbert.

Document read, and name of author, must be given up.

1879. Vol. 31, p. 392.—Judges and Mr. Barton. O'Rorke.

Reading Extracts—continued.

Neither Minister nor other member should quote from a paper unless he is prepared to lay it on the table.

1875. Vol. 18, p. 16.—Personal Explanation. Bell.

1884. Vol. 48, p. 145.—Union Steamship Company. O'Rorke.

It is not competent to a member to read an opinion of the Law Officers of the Crown.

1873. Vol. 14, p. 185.—Disqualification of Members of the Legislative Council. Bell.

A Minister need not lay the opinion of the Law Advisers of the Crown on the table, because such opinion is confidential.

1875. Vol. 18, p. 16.—Personal Explanation. Bell.

It is out of order to read extracts from newspapers referring to matters under debate.

1882. Vol. 43, p. 207.—North Island Main Trunk Railway Loan Bill. Bell.

A letter which furnishes information on matters of fact may be read, but one commenting on the proceedings of the House cannot be read.

1888. Vol. 62, p. 536.—Building Societies' Fees. O'Rorke.

The subject of a question to Ministers having been fully explained, a letter must not be read in addition.

1888. Vol. 61, p. 369.—Arahura River. O'Rorke.

REFLECTION ON THE HOUSE.

A member must not bring vote or proceeding into contempt except by specific motion for repeal.

1867. Vol. 1, p. 380.—Confiscated Land. Monro.

RESOLUTIONS.

General Procedure.

A resolution should either contain an expression of opinion or point to some practical step to be taken.

1868. Vol. 2, p. 112.—Public Petitions Committee. Monro.

The Speaker will not allow anything to appear on the Order Paper which is calculated to bring the House into ridicule.

1881. Vol. 40, pp. 13, 40.—Privilege: Irregular Notices of Motion. O'Rorke.

When notice of motion is given a date should be fixed, to prevent the House being taken by surprise.

1884. Vol. 49, p. 71.—Public Debt. O'Rorke.

When a time is fixed for taking a motion it is irregular to discuss that motion before the time.

1887. Vol. 58, p. 562.—Midland Railway. O'Rorke.

When a motion is made and seconded the Speaker states it to the House, and if debate

Resolutions—continued.

arises puts it again to the House, when it is technically “put.”

1867. Vol. 1, p. 619.—Governor’s Salary. **Monro.**

Notice must be given of motion to postpone the Orders of the Day in order to take want-of-confidence or other motion, unless the Government agree.

1877. Vol. 27, p. 101.—Want of Confidence. **Fitzherbert.**

On motion for the production of papers the merits of the case may be discussed.

1881. Vol. 38, p. 360.—H. W. Farnall. **O’Rorke.**

If motion for a return is made the basis of a financial discussion, it should be taken in Committee.

1869. Vol. 5, p. 83. — Defence Expenditure. **Monro.**

Question once decided upon cannot be brought up again during the same session.

1876. Vol. 23, p. 260.—Sir J. Vogel’s Missions to England. **Fitzherbert.**

Question decided in Committee is open to reconsideration; in the House it is not.

1867. Vol. 1, p. 1158.—Steam Postal Subsidies. **Monro.**

In complicated questions parts are put separately.

1876. Vol. 21, p. 377.—Separation. **Fitzherbert.**

Resolutions—continued.

Question is only split up when it is such that members can vote for some portions and not for others.

1876. Vol. 22, p. 308.—Disqualification. Fitzherbert.

Resolutions moved as a whole must be put as a whole, unless House orders that they be considered seriatim; but amendments to omit paragraphs can be moved.

1886. Vol. 55, p. 165.—Pacific Islands. O'Rorke.

Resolution reported from Committee of the Whole can be considered forthwith; from Supply or Ways and Means on a future day.

1868. Vol. 3, p. 471.—Want of Confidence. Monro.

Motion that the House sit on Mondays having been negatived, held that first part of a subsequent motion that the House meet on Mondays and Saturdays could not be put; but competent to move that the House at its rising meet on any particular day.

1869. Vol. 6, p. 572.—Days of Sitting. Monro.

Money Grants.

Resolutions for grants of money cannot be considered unless first recommended by the Crown.

1867. Vol. 1, pp. 1026, 1027.—Case of Gilberd and Deery. Monro.

Etc.

Resolutions—continued.

Referred to Committee of the Whole to sit on a future day.

1870. Vol. 9, p. 439.—Wellington Botanical Gardens. *Monro.*

Rule relaxed towards end of the session.

1874. Vol. 16, p. 583. — Manawatu-Rangitikei Claim. *Bell.*

Debate not to be entered on until the House is in Committee.

1867. Vol. 1, p. 471.—Pensions and Gratuities. *Monro.*

1884. Vol. 49, p. 60.—House Accommodation for Railway Workmen. *O'Rorke.*

Recommendation of the Crown is conveyed by a Minister.

1873. Vol. 15, p. 1284.—Civil List Bill. *Bell.*

House may pass an address to the Crown for a grant of money, but Government is not obliged to act upon it.

1873. Vol. 15, p. 1284.—Civil List Bill. *Bell.*

Resolution, "That this House considers that the enormous cost of paying Civil servants and high railway officials for holidays ought not to be considered to press lighter on the taxpayers than the payment of wages for holidays to the low-paid railway-labourers," could not be put, as trenching on the rule that the consent of the

Resolutions—continued.

Crown must be given to the appropriation of money.

1884. Vol. 48, p. 207.—Government Officers' Holidays. O'Rorke.

Government alone can initiate measures for the appropriation of public moneys. Abstract resolutions that money be devoted to a particular purpose—for instance, to construct harbours of refuge at a cost of two millions and a half—can be passed, but when not supported by the Executive are futile.

1873. Vol. 14, p. 165.—Mikonui Water-race. Bell.

If an address for a certain amount of money is referred to a Committee of the Whole, the Committee cannot increase it. Therefore, if the House desire to increase a vote, it would be necessary for some member to move to that effect before the question is referred to the Committee.

1882. Vol. 41, p. 604. — Technical Education. O'Rorke.

It is competent, on the second reading of a Bill, to move an abstract resolution that it is advisable to expend public money in a certain other way than that proposed by the Government.

1886. Vol. 56, p. 186.—New Zealand Loan Bill. O'Rorke.

Resolutions—continued.

Resolution that Government advertise for tenders for San Francisco mail-service within £20,000, is an abstract resolution, not requiring the recommendation of the Crown.

1869. Vol. 6, p. 686.—Supply. *Monro*.

Amendments.

Amendment dealing with first part of a resolution taken first.

1867. Vol. 1, p. 165.—Financial Condition of the Colony. *Monro*.

Must be to strike out some portion of a motion which is objectionable, or to elucidate it so as to make it more acceptable.

1877. Vol. 25, p. 13.—Land Fund. *Fitzherbert*.

Can be moved to a motion that all the words after "That" be omitted and others substituted which are diametrically the opposite of the words of the original motion.

1867. Vol. 1, p. 984.—Chairman of Committees. *Monro* (quoting *May's "Parliamentary Practice"*).

Which would deprive a member of his opportunity to move a substantive motion cannot be put.

1871. Vol. 10, p. 465.—*Monro v. Luckie*. *Bell*.

Words proposed to be added should be first put.

1881. Vol. 38, p. 393.—*Heta Hamuera*. *O'Rorke*.

Resolutions—continued.

If amendment (2) is moved to amendment (1), amendment (1) is for the time being treated as a substantive motion.

1877. Vol. 24, pp. 544, 545.—Taxation. Fitzherbert.

Must be withdrawn before original motion can be withdrawn.

1887. Vol. 58, p. 392.—Words used by Sir J. Vogel. O'Rorke.

Member who moves a motion cannot move an amendment to it.

1888. Vol. 60, p. 300.—R. C. Shearman. O'Rorke.

Cannot be moved by member who seconded original motion.

1867. Vol. 1, p. 764.—Address to Governor Grey. Monro.

Member having spoken to an amendment cannot move another amendment.

1880. Vol. 36, p. 28.—Civil Service. O'Rorke.

Words of a motion having been struck out, and the question being that other words be inserted, the mover of the original motion can move to amend the other words.

1877. Vol. 27, p. 23.—Want of Confidence. Fitzherbert.

If the mover of a motion omits part of it, it is competent to another member to move the addition of the omitted words.

1887. Vol. 58, p. 19.—Local Bills. O'Rorke.

Resolutions—continued.

Member cannot make a second speech on an amendment in asking leave to withdraw it.

1888. Vol. 62, p. 56.—Supply. O'Rorke.

Mover of an amendment can vote against it if he is convinced by argument that the original motion was better.

1888. Vol. 62, p. 198.—Supply. O'Rorke.

SPEAKER.*Duties.*

“The Speaker of the House of Commons presides over the deliberations of the House, and enforces the observance of all rules for preserving order in its proceedings. He issues warrants to execute the orders of the House for the commitment of offenders, for the issue of writs, for the attendance of witnesses, for the bringing-up of prisoners in custody, and, in short, for giving effect to all orders which require the sanction of a legal form.”

1868. Vol. 2, p. 292.—Dunedin Princes Street Reserve. Monro (quoting May's “Parliamentary Practice”).

In England the Speaker is elected before the oath is administered to members; in New Zealand the oath is first administered.

1887. Vol. 59, p. 360.—Mr. Brown. O'Rorke.

Speaker—continued.

He must be heard without interruption.

1881. Vol. 40, p. 233. — Representation Bill.
O'Rorke.

Where no distinct provision to meet a case is made in the Standing Orders the Speaker is guided by the usages of the House of Commons.

1881. Vol. 38, p. 396.—Heta Hamuera. O'Rorke.

Occupies a different position from other members of the Standing Orders Committee, and is entitled to comment adversely on its report.

1870. Vol. 9, p. 496. — Forms and Proceedings.
Monro.

Will not interfere with the decision of the Chairman of Committees at the suggestion of an individual member.

1881. Vol. 40, p. 97. — Representation Bill.
O'Rorke.

Will not interfere with the decision of the Chairman of Committees unless the Committee express a wish to take his opinion. An individual member cannot appeal from the Chairman to the Speaker.

1888. Vol. 60, p. 352.—Justices of the Peace Bill.
O'Rorke.

Disorderly conduct in Committee is reported to the Speaker, as House alone has power to inflict a penalty.

1881. Vol. 40, p. 233. — Representation Bill.
O'Rorke.

Speaker—continued.

Will not arrest a Bill because a money clause is not in a particular type.

1888. Vol. 62, p. 274.—Native Land Bill. O'Rorke.

Will, as far as possible, prevent personal attacks by members on the Judges.

1887. Vol. 57, p. 68.—T. Hall. O'Rorke.

Annual Appropriation Bill remains in the custody of the Speaker, and the Government cannot send down an amendment by message after it has passed.

1878. Vol. 30, p. 1296.—Immigration and Public Works Appropriation Bill. Fitzherbert.

If the Legislative Council strike a clause out of a money Bill, Speaker would consent to such Bill being placed in the Appropriation Bill.

1881. Vol. 40, p. 706.—Pensions Bill. O'Rorke.

Will not allow anything to appear on the Order Paper which is calculated to bring the House into ridicule.

1881. Vol. 40, pp. 13, 40.—Privilege : Irregular Notices of Motion. O'Rorke.

If papers are laid on the table, and a motion is made that they be withdrawn, Speaker takes charge of them until the motion is decided.

1879. Vol. 33, p. 242.—Telegrams for Electioneering Purposes. O'Rorke.

1879. Vol. 34, p. 682.—Telegrams for Electioneering Purposes. O'Rorke.

Speaker—continued.

Speaker cannot give certified copies of papers without authority while the House is in session, but he can during the recess.

1885. Vol. 53, p. 88.—Mr. Taiaroa. O'Rorke.

By the Standing Orders certain duties are specially assigned to the Chairman of Committees ; but as regards the conduct of the business of the House, either public or private, the ultimate and sole responsibility rests with the Speaker.

1867. Vol. 1, p. 601.—Standing Orders on Private Bills. Monro.

House, not Speaker, decides whether words used by a newspaper, and complained of, are a breach of privilege.

1868. Vol. 2, p. 506.—Breach of Privilege. Monro.

1883. Vol. 46, p. 193.—Charges against Premier and Treasurer. O'Rorke.

Person summoned to the bar of the House is examined by the Speaker, and by members through the Speaker.

1872. Vol. 13, p. 161.—Privilege: Case of J. Martin. Bell.

“When the House appears to disapprove of the language held by any member in debate it is the duty of the Speaker in the first instance to declare his opinion whether the language

Speaker—continued.

complained of is disorderly. . . . Of course the opinion of the Speaker will have considerable weight, but if the House does not acquiesce it is perfectly competent to it to overrule that opinion."

1867. Vol. 1, p. 823.—Privilege. Monro.

Member served with process of a Court of law requiring his personal attendance while he is attending his duties in Parliament can apply to the Speaker for exemption, and the case is postponed ; but if he appears, personally or by counsel, the case goes on. Speaker inquires into circumstances of the case.

1872. Vol. 13, pp. 227, 248, 249, 252.—Privilege: Case of J. E. Brown. Bell.

Disputing Decision.

If a member disputes the ruling of the Speaker, the proper course is to give notice of motion.

1867. Vol. 1, p. 979.—Privilege. Monro.

" If I give a ruling, and any member thinks that ruling is incorrect, the proper course to be taken is to bring it before the House in the way prescribed by the rules of the House."

1869. Vol. 6, p. 949.—Appropriation Bill. Monro.

STANDING ORDERS.

Two-thirds of the House must be present to suspend.

1867. Vol. 1, p. 962.—Suspension of Standing Orders. Monro.

1888. Vol. 60, p. 156.—Chinese Immigrants Bill. O'Rorke.

Two-thirds of the House must be present when vote is taken for suspending Standing Orders; but it has been held that it is sufficient if two-thirds are present when the motion is made.

1876. Vol. 22, p. 151.—Suspension of Standing Orders. Fitzherbert.

Speaker occupies a different position from other members of the Standing Orders Committee, and is entitled to comment adversely on its report.

1870. Vol. 9, p. 496.—Forms and Proceedings. Monro.

STRANGERS.

If Speaker's attention is drawn to the fact that strangers are present, he orders them to withdraw.

1887. Vol. 58, p. 380.—Sir Julius Vogel's Attendants. O'Rorke.

Motion for withdrawal of strangers is put without amendment or debate.

1888. Vol. 60, p. 416.—Contagious Diseases Act Repeal Bill. O'Rorke.

Strangers—continued.

If a member calls attention to the fact that there are strangers in the gallery, the Speaker has no alternative but to put the question for their withdrawal.

1888. Vol. 62, p. 130.—Hospitals and Charitable Institutions Bill. O'Rorke.

SUPPLY.

[See also "Money Grants and Money Bills."]

Duties.

The duty of the Committee of Supply is to appropriate money, and if it goes beyond its duty in that respect it is not acting in conformity with parliamentary practice.

1868. Vol. 3, p. 201.—Supply. Monro.

Committee can either reduce items of vote or whole vote; but, having reduced items, it cannot deal with lump-vote apart from items.

1867. Vol. 1, p. 1200.—Supply. Monro.

House can instruct Committee of Supply to take subdivisions of classes.

1881. Vol. 39, p. 210.—Supply. O'Rorke.

Amendments to Motion for going into Supply.

The question of going into Committee of Supply opens the door as widely as possible for discussing financial matters.

1888. Vol. 60, p. 466.—Supply. O'Rorke.

Supply—continued.

When a formal motion for going into Supply is made, and an amendment moved, the debate is confined to the amendment until it is disposed of ; but if the Minister makes a speech in moving the House into Committee, that speech may immediately be commented on, although an amendment should intervene.

1888. Vol. 61, p. 413.—Supply. O'Rorke.

It is not regular to discuss items of the estimates on the motion for going into Supply.

1867. Vol. 1, p. 705.—Financial Policy. Monro.

Motion, "it is not desirable that the House should go into the estimates until the Representation Bill is introduced," is not in order as an amendment to the motion for going into Supply.

1875. Vol. 18, p. 619.—Supply. Bell.

It is not in order to move as an amendment to the motion for going into Supply that a Bill on the Order Paper be read a second time.

1879. Vol. 33, pp. 69, 70.—Representation Bill. O'Rorke.

Motion that payment of members should be fixed by statute is admissible as an amendment to motion for going into Supply, although an item for payment of members is on the estimates.

1882. Vol. 41, p. 695.—Supply. O'Rorke.

Supply—continued.

When amendment to motion that the Speaker leave the chair is negatived no other amendment can be proposed.

1877. Vol. 25, p. 44.—Wairoa Land. Fitzherbert.

Member moving an amendment on the order for going into Supply has no right of reply.

1871. Vol. 10, p. 593.—Supply. Bell.

Report.

Motion to recommit an item must be made when it is read a second time in the House.

1885. Vol. 53, p. 856.—Greymouth-Hokitika Railway. O'Rorke.

Resolution reported from Committee of Supply cannot be considered forthwith.

1868. Vol. 3, p. 471.—Want of Confidence. Monro.

TELLERS.

Members appointed tellers must act.

1868. Vol. 3, pp. 214, 215.—Supply. Monro.

WASTE LANDS.

Recommendation of the Crown is necessary to dealing with waste lands.

1868. Vol. 4, p. 308.—Major Brown's Case. Monro. Etc.

Resolution that a grant of land be given should be considered in Committee of the Whole.

1877. Vol. 25, p. 473.—Auckland Defence Force. Fitzherbert.

Waste Lands—continued.

Bill dealing with waste lands of the Crown must go to the Waste Lands Committee.

1888. Vol. 60, p. 77.—Otago Central Railway Bill. O'Rorke.

Bill dealing with the waste lands of the Crown not having been reported on by the Waste Lands Committee is not allowed to proceed.

1868. Vol. 4, p. 212.—Otago Settlement Bill. Monro.

Bill correcting surveys of blocks ordered to be referred to the Waste Lands Committee.

1868. Vol. 4, p. 163.—Otago Surveys Correction Bill. Monro.

Waste Lands Committee cannot insert an appropriation clause in a Land Bill.

1877. Vol. 25, p. 544.—Land Bill. Fitzherbert.

An amendment can be moved in a Bill dealing with waste lands of the Crown although such amendment has not previously been before the Waste Lands Committee.

1870. Vol. 9, p. 163.—Otago Hundreds Bill. Monro.

A State Forests Bill, not being brought in for the sale, letting, or disposal of waste lands in the ordinary sense of land-measures, need not be sent to the Waste Lands Committee; but a member may move that it be so sent.

1885. Vol. 51, p. 449.—New Zealand State Forests Bill. O'Rorke.

Waste Lands—continued.

Bill imposing taxation, or appropriating any of the public estate, not having been initiated in Committee of the Whole, is discharged.

1876. Vol. 20, p. 421.—Stamp Bill. Fitzherbert.

1876. Vol. 21, p. 578.—Otago Museum Bill. Fitzherbert.

WAYS AND MEANS.

The duty of the Committee is to determine in what manner moneys are to be raised to meet the sums determined on in Committee of Supply.

1868. Vol. 3, p. 201.—Supply. Monro.

Resolution reported from Committee of Ways and Means cannot be considered forthwith.

1868. Vol. 3, p. 471.—Want of Confidence. Monro.

Any tax to be applied for only one year is discussed in Committee of Ways and Means; but a scheme for further taxation in Committee of the Whole.

1870. Vol. 8, p. 149.—Customs Tariff. Monro.

No discussion on particular items to be considered in Committee of Ways and Means can take place on motion for Speaker to leave the chair.

1871. Vol. 11, p. 49.—Ways and Means. Bell.

Committee of Ways and Means cannot refer

Ways and Means—continued.

to a Select Committee matters referred to itself.

1874. Vol. 16, p. 125.—Excise Duties. Bell.

If a motion to go into Committee of Ways and Means to reduce Excise duties is negatived, proposals to that effect cannot be brought up again during the same session.

1874. Vol. 16, p. 128.—Excise Duties. Bell.

Committee of Ways and Means may reconsider its resolutions.

1885. Vol. 51, p. 444.—Ministerial Statement.
O'Rorke.

WITNESSES.

Witnesses giving evidence before a Select Committee are protected as in a Court of competent jurisdiction.

1875. Vol. 19, p. 387.—Parliamentary Privileges Bill. Bell.

An Act of Indemnity will be passed to protect witnesses in giving evidence before a Select Committee.

1875. Vol. 19, p. 352, &c.—Privilege (Case of Mr. Bridges). Bell.

A person who gives false evidence should be proceeded against with the utmost severity.

1885. Vol. 53, p. 494.—T. J. Jones. O'Rorke.

Witnesses—continued.

Petitioners calling witnesses should bear the expense ; but not in all cases.

1882. Vol. 42, p. 387.—Horomona Patu. O'Rorke.

WORDS TAKEN DOWN.

Words ordered to be taken down must be taken down at once, and not afterwards.

1876. Vol. 21, p. 420, &c.—Canterbury Pastoral Leasing Bill. Fitzherbert.

When words are taken down they must be explained, or retracted and apologised for.

1883. Vol. 46, p. 572.—Supply. O'Rorke.

“ When the House appears to disapprove of the language held by a member in debate it is the duty of the Speaker in the first instance to declare his opinion whether the language complained of is disorderly. . . . Of course the opinion of the Speaker will have considerable weight, but if the House does not acquiesce it is perfectly competent to it to overrule that opinion.”

1867. Vol. 1, p. 823.—Privilege. Monro.

Words taken down can be considered “ at present or at a future time. A distinct motion will have to be made with regard to them, and submitted to the House for its consideration.” The member using the words will be called on

Words taken down—continued.

to withdraw while the House is considering the words.

1867. Vol. 1, p. 788.—Financial Policy. *Monro*.

Member refusing to withdraw offensive words is “named,” and if he persists will not be heard, and must withdraw from the Chamber while the House deliberates on his conduct.

1887. Vol. 58, pp. 379, 380.—Sir J. Vogel’s Attendants. *O’Rorke*.

“Naming” a member does not carry the censure of the House, as he has further opportunity of explaining, and then the House deals with the case.

1887. Vol. 58, p. 399.—Words used by Sir J. Vogel. *O’Rorke*.

Disorderly conduct is punishable with censure and fine of £50, which must be paid to the Clerk before the member can retake his seat.

1881. Vol. 40, p. 244. — Representation Bill. *O’Rorke*.

Disorderly conduct in Committee is reported to the Speaker, because House alone can inflict penalty.

1881. Vol. 40, p. 233. — Representation Bill. *O’Rorke*.





